

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8746 of 2019

Arising Out of PS. Case No.-98 Year-2018 Thana- KATORIYA District- Banka

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Bhairo Singh Son of Late Babulal Singh R/o village- Jhausa, P.S-
Chandramandih, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Narsingh Tanti, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences
punishable under Sections 376/302/120B of the Indian Penal
Code and Section 4/6 of the POCSO Act.

Petitioner is not named in the FIR.

Submission is that FIR named accused Kamli Devi has
already been allowed bail by this Court in Cr. Misc. No.7309 of
2019 and co-accused Karu Kora whose name surfaced in the
confessional statement of co-accused has also been allowed bail
by a coordinate Bench of this Court in Cr. Misc. No.1991 of 2019.

Learned counsel for the petitioner submits that the
police report would show that there is no direct evidence that any



of the named accused was seen coming out from the house where the occurrence allegedly took place and the suspicion is based on old dispute between the parties. Investigation of the case is complete.

Though the offence alleged is very heinous and shocking as three girls were raped and murdered by unknown criminals, however, the allegation is against eight person based on suspicion.

Considering the fact that there is no substantial material disclosing involvement of the petitioner in the crime alleged, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Katoria P.S. Case No.98 of 2018, with condition that petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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