

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16840 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- MAHILA P.S. District- Kaimur (Bhabua) *

DILIP PATEL Son of Angad Singh Resident of Village- Muri, P.S.- Chainpur,
District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Mishra

For the Opposite Party/s : Mr.Bharat Bhushan(App156)

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner seeks bail in Mahila Bhabua P. S. Case
No. 06 of 2019 instituted for the offence under Section(s) 376,
506 of the Indian Penal Code and Section 4 of the POCSO Act.

In the written report, it is alleged that on the date of
occurrence petitioner entered into house of the informant and
after pushing her on the bed committed rape with her. She raised
alarm then her mother arrived and caught hold the petitioner. It
is further alleged that this petitioner has committed rape with
her 8-9 times earlier also for which the husband of the informant
has left her. The victim girl has given her statement U/s 164
Cr.P.C., wherein, she has stated that that she want to live with
this petitioner. She has stated in her statement that petitioner is



committing such act with her for the last nine months. She has stated her aged to be 18 years and the Court has assessed her age to be 17 years.

From the F.I.R. it appears that the victim is a married lady. The physical relationship has been established between petitioner and informant several times.

Learned counsel for the informant has appeared and opposed the prayer for bail. He submits that petitioner has committed illegal act with victim.

The petitioner is in custody since 30.1.2019.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge 1st Cum-Spl. Judge Kaimur at Bhabua, in connection with Mahila Bhabua P. S. Case No. 06 of 2019, POCSO Reg. No. 4 of 2019 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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