

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78555 of 2018

Arising Out of PS. Case No.-202 Year-2018 Thana- BUXAR INDUSTRIAL District- Buxar

Kallu Yadav @ Ramesh Kumar Yadav, son of Ganga Yadav @ Ganja Singh,
resident of village, Chhotiki Sarim Pur, P.S. Buxar Town, District, Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlesh Prasad Yadav

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 17-01-2019

Heard learned counsel for the parties.

Petitioner seeks bail in Buxar (Industrial Area) P.S.

Case No. 202/18 registered for the offence punishable under
Sections 341, 323, 354, 504 of the Indian Penal Code and
Section 4 of the POCSO Act.

Informant who claims herself to be minor has alleged
in her written complaint that on 13.10.2018 at 3 p.m. when she
was returning to her home after attending the coaching class,
petitioner caught him from behind and tried to drag him in a
lonely place and also tried to commit rape upon her but on her
raising alarm people assembled there and he fled away. On
earlier occasions also, he used to tease her and used filthy
language. It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case due to



some personal dispute between their families. Petitioner has no criminal antecedent and he is in custody since 14.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.D.J. 1st, Buxar-cum-Special Judge, POCSO in connection with Buxar (Industrial Area) P.S. Case No. 202/18, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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