

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31514 of 2019

Arising Out of PS. Case No.-115 Year-2018 Thana- SABAUR District- Bhagalpur

BIRO KUMAR PASWAN @ BIRU KUMAR PASWAN Son of Anirudh
Paswan @ Anarudwa Paswan Resident of Rajandipur, P.S.- Sabour, District-
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 16-08-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Sabour P. S. Case No.
115 of 2018 instituted for the offence under Section(s) 376D,
506 of the Indian Penal Code and Sections 4 and 6 of POCSO
Act.

Learned counsel for petitioner submits that other co
accused with similar allegation has already been granted bail by
co-ordinate Bench of this Court vide order passed in Cr. Misc.
no.44039 of 2018

It is alleged that while the daughter of informant was
alone in the house this petitioner along with co- accused Arbind
Das and Bambam Kumar took her daughter to lonely place



and committed rape with her.

Learned counsel for the petitioner submits that doctor has found no external or internal injury on the person of victim or on her private parts. There is no evidence of recent sexual intercourse.

The petitioner is in custody since 18. 4.2018 having no criminal antecedent.

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 1st Addl. Dist. And sessions judge cum spl. Judge POCSO Bhagalpur , in connection with Sabour P. S. Case No. 115 of 2018, GR No. 1706 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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