

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33830 of 2019

Arising Out of PS. Case No.-197 Year-2018 Thana- JHAJHA District- Jamui

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GANESH SAH @ GUJA SAH @ GUJA @ GANESH SAO @ GUJA SAO
@ GANESH Son of Late Jamahir Sah Resident of Village-Dumar-Moh P.S.-
Jhajha, District-Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 18-07-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Jhajha P.S. Case No. 197 of 2018**, instituted for the offence under Section(s) 363, 366A, 376, 506 of the Indian Penal Code and Section 4 of POCSO Act.

It is alleged in the written report that daughter of the informant namely, Lalita Kumari got disappeared from the house at 3:00 a.m. She telephoned the informant on 30.5.2018 that petitioner had taken her to Deoghar. When she started weeping, petitioner left her daughter at the Police Station. The informant came to Police Station to see her daughter. She told the informant that petitioner had taken her to Deoghar. He



committed illegal act with her and threatened not to disclose the matter to anyone.

Case diary has been received.

The statement of victim girl recorded under Section 164 Cr. P.C. is available in paragraph-44 of the case diary wherein she has stated that she was called by the sister of the petitioner and then she went to the house of the petitioner. She remained in the house of sister of the petitioner. Thereafter, petitioner took her to Deoghar and committed illegal act with her in the school.

The victim girl has been medically examined on 2.6.2018. The Doctor has found no mark of violence either on her private part or any injury on her body. It has come in the medical report that no spermatozoa was found. In the medical report the Doctor has found the age of victim girl as 15 years.

As such, from the medical report of the victim girl it appears that Doctor has found no sign of any violence either on her private part or any part of the body of the victim.

Petitioner is in custody since 2.6.2018 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. 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 **learned A.D.J. 1st, Jamui**, in connection with **Jhajha P.S. Case No. 197 of 2018**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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