

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49248 of 2019

Arising Out of PS. Case No.-162 Year-2019 Thana- CHAINPUR District- Kaimur (Bhabua)

Dabbu@Dabbu Kumar Son of Shushil Kumar Resident of Village - Akauni,
P.S.- Chand, Distt - Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey
For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Section
376(2)(F) of the Indian Penal Code and Section-6 of the POCSO
Act.

Allegation against the petitioner is of enticing and
committing rape upon the five years minor daughter of the
informant.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 28-04-2019. Charge sheet has
already been submitted. The medical examination report
(Annexure-2 to the application) does not support the allegation



made in the FIR. Subsequently, a petition vide Annexure-2 to the present application has been filed by the informant in the court below wherein he has retracted from his earlier statement. The case has been lodged due to mistake of fact.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Ist-cum-Special Judge, POCSO Act, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 162 of 2019 bearing its POCSO Reg. No. 20 of 2019.

(Sudhir Singh, J)

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