

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78943 of 2018

Arising Out of PS. Case No.-212 Year-2018 Thana- HASPURA District- Aurangabad

Shankar Kumar son of Surendra Paswan @ Surendra Kumar Paswan,
Resident of Village- Chahuta, Police Station- Haspura, District- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nivedita Nirvikar, Adv

For the Opposite Party/s : Mr.Sri Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 15-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 456 and 376 of the Indian Penal Code, 1860 and Sections 8 and 10 of Protection of Children from Sexual Offences Act, 2012.

Petitioner is in custody since 06.10.2018. Investigation of the case is complete. Allegation is that the petitioner entered into the house of the informant rather in the room of the daughter of the informant and when the daughter of the informant made alarm, the family members including the female and male locked the door from outside. Called the police. The police allowed the petitioner to go scot free. Identical is the statement of the victim of rape. Her age



has been assessed by the Doctor as 18 to 19 years.

Submission is that the matter appears to be some affairs between the two which is not disclosed in the evidence but the conduct of the parties especially the family members in locking the door from outside would show that they were aware of the fact that the petitioner was visiting in their house.

Considering the entire facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Haspura Police Station Case No.212 of 2018,(G.R.No.66 of 2018), subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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