

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11151 of 2020**

Arising Out of PS. Case No.-4 Year-2019 Thana- CHANDI District- Bhojpur

MARAIE KUMAR @ SANTOSH RAI (KUMAR), Son of Barak Yadav @
Ram Niwash Rai, Resident of Village - Narbirpur, P.S.- Chandi, District-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh
For the Opposite Party/s : Mr.Mohammad Sufyan

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER**

3 01-06-2020 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with
POCSO Case No. 1 of 2019, arising out of Chandi P.S. Case No.
4 of 2019, for the offence under Sections 302/34 of the Indian
Penal Code and Section 8 of the POCSO Act.

In the present case, case diary was called for vide
order dated 28.02.2020.

Learned counsel for the petitioner, with reference to
para 21 of the case diary, submits that from the aforesaid
paragraph it appears that the informant's side have opposed
taking statement of the residents of Mohalla, whereas post-
mortem report (Annexure-2) indicates that no external injury
was seen over the body, which renders the prosecution case
doubtful. He further submits that the attending facts and



circumstances indicate that the death of the victim was an honour killing and not done by the petitioner and others. The petitioner is in custody since 30.11.2019.

Considering the statement made in para 21 of the case diary and the post-mortem report, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I, Bhojpur at Ara in connection with POCSO Case No. 1 of 2019, arising out of Chandi P.S. Case No. 4 of 2019, with the condition that the petitioner on release will render his service as volunteer for a period of three months in dedicated Covid Hospital. He is required to report to the Nodal Officer in the concerned region, who shall utilize his service in this pandemic.

(Anil Kumar Upadhyay, J)

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