

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No. 22318 of 2020

Arising Out of P.S. Case No.-18 Year-2020 Thana-JAGDISHPUR District-Bhagalpur

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Chandra Shekhar Prasad @ Chandra Shekhar Prasad Singh, Son of Late Yogendra Prasad Singh,
Resident of Village – Chafa, Post – Masumganj, P.S. – Asarganj, District - Munger
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Jay Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

02 25-08-2020

Heard Mr. Ajay Kumar Jha, learned Advocate for the petitioner
and Mr. Jay Narain Thakur, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
connection with Jagdishpur (Bypass T.O.P.) P.S. Case No. 18 of 2020
dated 16.01.2020 instituted for the offences under Sections 342, 376,
504, 506 and 34 of the Indian Penal Code, Section 66 of the I.T. Act
and Section 4 of the POSCO Act (giving rise to Spl POCSO Act
08/2020).

It has been alleged in the FIR that the victim was subjected to
sexual intercourse by one Samarjit Singh @ Chhotu and later she was
forced to marry him.



So far as the petitioner is concerned, it has been submitted that the petitioner had also participated in the ceremony of marriage. Apart from this, nothing has been alleged against the petitioner. About the petitioner, it has been disclosed that he is a friend of aforesaid Samarjit Singh @ Chhotu.

Learned counsel for the petitioner has drawn the attention of this Court to the fact that the petitioner is a physically handicapped person with 40% of infirmity because of Polio. In the 164 statement of the victim girl, there is no reference of the petitioner.

Regard being had to the aforestated facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of this order on his furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, Bhagalpur in connection with Jagdishpur (Bypass T.O.P.) P.S. Case No. 18 of 2020, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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