

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33617 of 2020

Arising Out of PS. Case No.-21 Year-2020 Thana- CHOUTARWA District- West Champaran

BABUJAN ANSHARI Son of ASIN ANSHARI Resident of Village - Bibi Bankatwa, P.S.- Chautarwa (Bathawariya), Distt.- West Champaran Bettiah.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Madhuranand Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-12-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case instituted for the offences under Section 376 of the Indian Penal Code and 4 of POCSO Act.

Prosecution case, in short, is that the petitioner committed rape upon the victim.

It has been submitted on behalf of the petitioner that the



petitioner is in custody since 25.01.2020 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case. There was love affair between the petitioner and the victim. Subsequently after the intervention of the well wishers of both the parties, the matter has been settled. The informant has retracted from her earlier statement made in the F.I.R. A petition to the same has been filed vide Annexure 2 to the present application.

On behalf of the State, it is submitted that the petitioner is named in the 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 1st Additional District & Sessions Judge-cum-Special Judge, SC/ST POCSO, Bettiah, West Champaran in connection with Chautarwa (Bathwariya) P.S. case No.21 of 2020.

(Sudhir Singh, J)

Narendra/-

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