

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70365 of 2019

Arising Out of PS. Case No.-136 Year-2019 Thana- SABAUR District- Bhagalpur

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KHAGESH YADAV @ KHANGSA Son of Late Jannu Yadav Resident of
Village - Sardho Near kali Asthan, P.S.- Lodipur, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 16-01-2020 Heard learned Counsel for the petitioners and the learned
APP for the State.

The petitioner seeks bail in Sabour PS Case No. 136 of
2019 registered under Sections 376(D) of the IPC and Sections 3/4 of
the Pocso Act.

It is the submission of petitioner's Counsel that he has
falsely been implicated in this case as would be evident from the fact
that the FIR has been lodged 15 days after alleged occurrence. It is
also submitted that considering the fact that the medical report did
not corroborate the allegations and that co-accused Suraj Das had no
criminal antecedent his prayer for bail was allowed. The petitioner
having regard to the aforesaid statement submits that the petitioner
also has no criminal antecedent and is in custody since 9.5.2019. The
claim is also on account of parity with co-accused Suraj Das.

Learned APP has opposed the prayer.

Considering the aforesaid submissions the petitioner's
prayer for bail is allowed.

Let the petitioner above named be released on bail on his
furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of ^{1st} Additional Sessions Judge -cum- Special Judge, Posco Act, Bhagalpur, in Sabour PS Case No. 136 of 2019 on the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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