

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70899 of 2019

Arising Out of PS. Case No.-77 Year-2019 Thana- KHIJARSARAI District- Gaya

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MUNARIK YADAV @ MUNDARIK YADAV, Male, Aged about -41 years
son of Bachchu Yadav, Resident of Village- Peerkhasarai, P.S. Khizersarai,
Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 17-01-2020 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 341, 323, 354, 376, 506 of the
Indian Penal Code and Section 4 of the POCSO Act and
Section 3(1)(w)(ii) of the SC/ST Act.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, the
alleged occurrence took place on 15.12.2019 whereas the
complaint has been filed on 21.03.2019 after lapse of almost
three months without explaining the plausible delay which
creates doubt over the prosecution version. No medical



report is available on record to support the allegation. The petitioner is rotting in custody since 23.03.2019.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge, 1st -cum- Special Judge, POCSO Act, Gaya, in connection with POCSO Case No. 29 of 2019 arising out of Khizersarai P.S. Case No. 77 of 2019.

(Arvind Srivastava, J)

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