

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81775 of 2019

Arising Out of PS. Case No.-137 Year-2019 Thana- AMDABAD District- Katihar

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GOLI CHOUDHARY @ GOLU CHOUDHARY Son of Ramashish Choudhary Resident of Village - Ghisu Tjola, Gadrai Tola Diyera, P.S.- Mufassil, Distt.- Sahebganj (Jharkhand.)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah

For the Opposite Party/s : Mr.Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 18-03-2020 Heard learned counsels for the petitioner and the State.

Petitioner seeks bail in connection with Amdabad P.S. Case No. 137 of 2019 registered for the offence punishable under sections 302, 201, 354B/34 of the Indian Penal Code and Section 8 of the POCSO Act.

Learned counsel appearing for the petitioner submits that petitioner is not named in the first information report and he has been falsely implicated in this case. He has not committed any offence as alleged in the first information report. He is a charwaha who used to get his buffalo grazing around the place of occurrence. Petitioner has no criminal antecedent and is in custody since 10.08.2019.



Learned Addl. P.P. appearing for the State opposes the prayer for bail and submits that there are allegations against this petitioner. During investigation also, in paragraphs 61 and 62 of the case diary, witnesses have supported the prosecution case. Petitioner, therefore, does not deserve to be granted the privilege of bail.

Considering the nature of allegations levelled, the materials available on record and the submissions advanced on behalf of the parties, this Court does not find it to be a fit case for grant of bail to the petitioner. The same is, therefore, rejected.

(Arvind Srivastava, J)

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