

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43316 of 2021

Arising Out of PS. Case No.-42 Year-2016 Thana- DESARI District- Vaishali

Gariban Kumar @ Griban Ram Son of Awadesh Ram Resident of Village-
Saini Pokharhana, P.S.- Desari, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lakshmi Devi W/o Nandlal Ram Vill- Nayagaon Saini Pokhar, P.S.- Desari,
District- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivanandan Bharti
For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-01-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner seeks bail in Desari P.S. Case No. 42 of
2016 (Complaint Case No. 05 of 2016), registered for the
offence under Section 376(2) of the Indian Penal Code and
Section 4/6/8/10 of the POCSO Act.

As per the prosecution case, the petitioner committed
rape with eight years old minor daughter of the
informant/complainant.

It is submitted on behalf of petitioner that petitioner
has been falsely implicated in this case. Police, after conducting
thorough investigation, has found the case untrue and submitted



final form. Petitioner has got clean antecedent and he is in custody since 17.03.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. 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 Special Court of POCSO cum Children Court cum Additional District and Sessions Judge VI, Vaishali at Hajipur in connection with Desari P.S. Case No. 42 of 2016 (arising out of Complaint Case No. 05 of 2016).

(Prabhat Kumar Singh, J)

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