

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44421 of 2022

Arising Out of PS. Case No.-73 Year-2018 Thana- MAHILA P.S. District- Siwan

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BABLU UPADHYAY @ BABLU KUMAR UPADHYAY S/o Jaychand
Upadhyay @ Jagan Upadhyay R/o village- Satwar, P.O.- Satwar, P.S.- G.B.
Nagar, Satwar, Siwan, Bihar- 841439

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajat Kumar Tiwary

Mrs. Deepika Sharma

For the State : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-12-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for
the offence punishable under Section 376(D) of the IPC and
sections 4 and 8 of POCSO Act.

As per the prosecution case, specific allegation of
sexual assault is against co accused Rahul Kumar. Medical
board has not found any sign of recent sexual activity. The
medical Board has assessed the age of victim between 18-19
years. It is submitted that co-accused has already been granted
bail by this court vide order passed in Criminal Miscellaneous
no. 7381 of 2022. Petitioner has got no criminal antecedent.

Learned counsel appearing for the State opposes the
prayer for bail.



Considering the facts of the case, in the event of arrest/surrender within six weeks from today, let the petitioner, above named, 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 Judge POCSO, Siwan in connection with Siwan Mahila P.S. Case No. 73 of 2018 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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