

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24469 of 2015

Arising Out of PS.Case No. -170 Year- 2015 Thana -AGAMKUAN District- PATNA

=====

1. Ashok Kumar, son of Late Ram Singh, resident/house of Arjun Singh,
IOC Colony, P.S.- Agamkuan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Tapeswar Sharma(App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 17-07-2015 Heard learned counsel for the petitioner and learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

Petitioner is in jail custody since 20.04.2015 on the

accusation that he entered the house of the informant and caught

hold her from back side.

The contention on behalf of the petitioner is that

Section 8 of POCSO is not applicable in the present case as

except the statement of the victim and assessment of the

Magistrate, there is nothing on the record to show that the

informant was minor at the time of alleged occurrence. It is further

contended by him that so far as section 354 of the Indian Penal

Code is concerned, the same is bailable in nature.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of the period of detention of the petitioner in jail custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-1st Patna in connection with Agamkuan P.S.Cae No. 170 of 2015.

(Hemant Kumar Srivastava, J)

Namita/-

U		T	
---	--	---	--