

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52915 of 2015

Arising Out of PS.Case No. -4 Year- 2015 Thana -NTPC KHAIRA District- AURANGABAD

1. Nitesh Kumar Son of Late Jitendra Singh Resident of Village - Bariym,
P.S. N.T.P.C. Khaira, District - Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Aditya Narayan Singh-I(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 15-02-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with N.T.P.c.
Khaira P.S. Case No. 04 of 2015 registered for the offences
punishable under Sections 341, 323, 354(A), 354(D), 504/34 of
the Indian Penal Code and Sections 8/12 of POCSO Act.

Allegedly, the petitioner and two other FIR named
accused persons directed the informant and her sister to sit on the
motorcycle and on refusal started abusing them and further started
pulling the informant after catching her hand and breast and
thereafter, due to alarm being raised fled away.

Submission is of false implication and that name of the
father of petitioner has wrongly been given as he is son of late

Jitendra Singh and not son of Aman Sing, Aman Singh is his uncle, the petitioner has been implicated due to rivalry of PACS election resulting he is suffering in custody since 01.08.2015, chargesheet has already been submitted and there is no chance of tampering with prosecution evidence.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO Act, Aurangabad in connection with N.T.P.C. Khaira P.S. Case No. 04 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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