

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41605 of 2016

Arising Out of PS.Case No. -49 Year- 2016 Thana -RAJAULI District- NAWADA

Sachin Mistri @ Kachin Mistri son of Sanjay Mistri, resident of village-
Dhurgaon, Police Station-Rajauli in the district of Nawada

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ranjeet Kumar, Adv.

For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 18-10-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 15.07.2016 in connection with Rajauli P.S. Case No. 49 of 2016 for the offences alleged under Sections 354(A)(2)(3) of the Indian Penal Code and Section 12 of POCSO Act subsequently numbered as POCSO No. 09 of 2016.

3. It is submitted that the petitioner has been falsely implicated and there is subsequent insertion in the written report of the informant in order to give a more serious look to the offence as an afterthought. There is considerable delay in the institution of the F.I.R. on 04.03.2016 for the alleged offence of 27.02.2016. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and

circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-cum-Special Judge POCSO Act, Nawada, in connection with POCSO No. 09 of 2016 (arising out of Rajauli P.S. Case No. 49 of 2016), with the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence.

(iii) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure to do so on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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