

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48133 of 2016

Arising Out of PS.Case No. -21 Year- 2015 Thana -MAHILA P.S. District- BHOJPUR

Nikhil Saw @ Nikhil Kumar @ Nikhil Sah, Son of Nand Jee Sah, Resident of Village- Khajuriyam, P.S.- Ara Muffasil, District- Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Priya Saran Singh, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 18-11-2016 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is in custody since 29.08.2016 in connection with POCSO Case No.2 of 2015, arising out of Ara Mahila P.S. Case No.21 of 2015, registered for the offences under Sections 341, 323, 354 (Kha) of the Indian Penal Code and Sections 8 & 10 of the POCSO Act, 2012.

Learned counsel for the petitioner submits that though the petitioner has been taken into custody, F.I.R. in the present case was lodged admittedly after lapse of seven days, for which no plausible explanation has been given by the informant. It is further submitted that no case against the petitioner is made out as is evident from the F.I.R.

Having considered all the facts and circumstances of the case and that there is a history of enmities against the petitioner as another case, bearing Ara Muffasil P.S. Case No.228 of 2015, had been filed by the father of the present informant earlier, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Ara (A.D.J. 1st), in connection with POCSO Case No.2 of 2015, arising out of Ara Mahila P.S. Case No.21 of 2015.

(Anjana Mishra, J)

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