

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55685 of 2017

Arising Out of PS.Case No. -51 Year- 2017 Thana -BAKHTIARPUR District- SAHARSA

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1. Keshav Sharma S/o Shravan Sharma, R/o Sharma Tola, Nagar Panchayat
Simri Bakhtiyarpur, P.S.- Bakhtiyarpur, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 27-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with POCSO Case
No. 22/2017, arising out of Bakhtiyarpur P.S. Case No. 51/2017
for offences punishable under Sections 494, 498, 366-A, 376, 120-
B of the Indian Penal Code and Section 4 of the POCSO Act.

The prosecution case, as lodged by the informant, is
that his daughter had gone to take the final exam of higher
secondary but did not return. It is alleged that the co-accused
persons including the petitioner enticed his daughter.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and no



overt act has been alleged either by the informant or by the victim lady under Section 164 Cr.P.C. He submits that the allegation is upon co-accused Brahmdeo Sharma, there is no allegation of any physical or sexual abuse against the petitioner and he is languishing in custody since 03.09.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of five months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Ist Addl. Sessions Judge cum Special Judge, Saharsa, in connection with POCSO Case No. 22/2017, arising out of Bakhtiyarpur P.S. Case No. 51/2017, subject to the condition that both the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

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