

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17184 of 2017

Arising Out of PS.Case No. -2 Year- 2017 Thana -MAIN P.S. District- GAYA

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1. Saket Kumar @ Nipu Kumar Son of Bijendra Sharma @ Vijendra Kumar, resident of village - Gangti, Police Station - Main, District - Gaya
.... Petitioner

Versus

1. The State of Bihar
.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manish Kumar No-2, Adv.

For the Opposite Party : Mrs. Renu Kumari, APP 160

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

2 08-04-2017 Heard the learned counsel for the petitioner and the State.

This is a petition for grant of anticipatory bail for offence under Sections 341, 457, 380, 354, 323 and 34 of the Indian Penal Code and 8 and 12 of the Protection of Children from Sexual Offences Act.

Allegation is that the petitioner along with his brother, Nitish Kumar @ Deepu, entered into the house of the informant in the night with intention of theft. Further, allegation is of commission of sexual assault against the daughter of the informant by co-accused, Nithish Kumar. The victim-girl has also levelled allegation against Nitish Kumar that Nitish Kumar had dragged her to another room.

Submission of the petitioner is that for land dispute the present false case has been lodged.

Considering the aforesaid fact, the petitioner,



above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **POCSO Case No. 14 of 2017** Main P.S. Case No. 2 of 2017 to the satisfaction of the **Additional District & Sessions Judge I-cum-Special Judge (POCSO Act), Gaya**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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