

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9192 of 2018

Arising Out of PS. Case No.-142 Year-2017 Thana- JALE District- Darbhanga

Arjun Sah S/o Prabhu Sah, R/o Village- Taralahi, P.S.- Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das

For the Opposite Party/s : Mr. SRI HUMAYOU AHMAD KHAN

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 16-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in POCSO G.R. No. 37 of 2017 arising out of Jalley P.S. Case No. 142 of 2017 registered under Sections 363, 366(A), 376, 216, 120(B) of the Indian Penal Code and Section 4 /6 of the POCSO Act.

Minor grand daughter of the informant is said to have been kidnapped by some unknown miscreants while she had gone for tuition.

It is submitted by learned counsel for the petitioner that the petitioner has no concern with the aforesaid occurrence. He is quite innocent and has been falsely implicated in this case. He had simply managed accommodation for the victim and other



accused persons for their stay without knowing any relation between them. The victim in her statement under Section 164 Cr.P.C. has not named the petitioner in the occurrence rather named one Tempo driver, namely, Raj Karan. She has also not levelled allegation of sexual assault committed against her at the hand of the petitioner. The petitioner has no criminal antecedent and has been languishing in custody since 17.09.2017. Co-accused, namely, Raj Karan has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 12.12.2017 passed in Criminal Miscellaneous No. 55383 of 2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge (POCSO Act), Darbhanga in connection with Jalley P.S. Case No. 142 of 2017.

(Prakash Chandra Jaiswal, J)

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