

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33635 of 2018

Arising Out of PS. Case No.-140 Year-2017 Thana- BIHIYA District- Bhojpur

Sardar Prasad S/o Kamlesh Prasad, R/o Vill.- Bara Kharawani, P.S.- Bihiya,
District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharwan Kumar

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 18-06-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner, already in custody, seeks bail in connection
with Bihiya PS Case No.140 of 2017 registered under Sections
143, 341, 323, 354, 504 and 506 of the Indian Penal Code as
well as under Section 11(1) of the POCSO Act.

Learned counsel for the petitioner submits that the
accusation under Section 11 of the POCSO Act is against Jiut @
Naga, brother of the petitioner, and he had made comment as
per the allegation, thereafter all the family members have been
implicated in this case falsely, however, there is no injury to
Rajeshwari Devi and Nitu Devi to whom the petitioner along
with others are said to have assaulted and this petitioner has no
criminal antecedent, moreover both are neighbours and there is



dispute between both sides so falsely implicated in this case.

Having considered the aforesaid facts and circumstances, petitioner Sardar Prasad is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Bhojpur, Ara in connection with Bihiya PS Case No.140 of 2017.

(Arun Kumar, J)

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