

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3300 of 2018

Arising Out of PS.Case No. -382 Year- 2017 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

=====

Sikandar Sharma S/o Sri Chano Sharma, R/o Village- Bharra, P.S.-
Muffasil, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Md. Arif

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
26.08.2017 in connection with POCSO Case No. 51 of 2017
arising out of Begusarai Muffasil P.S. Case No. 382 of 2017
for offences punishable under Sections 376/511 of the Indian
Penal Code and Section 10/12 of POCSO Act, 2012, although
charge-sheet has been submitted under Sections 323, 376,
511, 506 I.P.C. and Section 8 of POCSO Act.

The prosecution case, as lodged by the informant, is



that his niece Kalpana Kumari aged about 8 years had gone on the terrace, the petitioner tried to commit rape on her.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case out of previous enmity as earlier the wife of the petitioner had lodged a case against one Santosh Kumar in the year 2015 and the informant being neighbor of the said Santosh Kumar has been managed to file a false and concocted case. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

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 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-cum-Special Judge, POCSO Act, Begusarai in connection with POCSO Case No. 51 of 2017 arising out of Begusarai Muffasil P.S. Case No. 382 of 2017, subject to the condition that one of the bailors



would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/-

U		T	
---	--	---	--

