

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71700 of 2018

Arising Out of PS. Case No.-91 Year-2018 Thana- ALOULI District- Khagaria

Nirmal Paswan Son of Patilal Paswan, resident of Village- Sumbha Gajighat,
Tola Marain, Police Station- Alauli, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-12-2018 Heard the parties.

The petitioner seeks regular bail in connection with
POCSO Case No.09/18 arising out of Alauli P.S.Case No.91/18
registered for offences punishable under Sections 376/511 of the
Indian Penal Code and Section 18 of the POCSO Act.

Allegation against the petitioner is that he entered inside
the house of the informant and tried to commit rape upon the
daughter of the informant and when she raised *hulla*, the
petitioner fled away.

Submission of the learned counsel for the petitioner is
that there is land dispute between the parties and two days prior
to this occurrence, the father of the petitioner had lodged a case
against the informant and others , which will appear from



Annexure 2 and moreover there is delay of six days in lodging the FIR. The petitioner is in custody for more than three months.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail stating that the trial has commenced

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge cum Special Judge, Khagaria in connection with POCSO Case No.09/18 arising out of Alauli P.S.Case nO.91 of 2018 with condition that he has to co-operate in the disposal of the trial and remain present in the court as and when required otherwise his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

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(Vinod Kumar Sinha, J)

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