

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39542 of 2018

Arising Out of PS. Case No.-113 Year-2018 Thana- NAVINAGAR District- Aurangabad

Saurabh Soni @ Golu Soni son of Lav Soni @ Lav Kumar resident of village - Mangal Bazar, Sangam Studio, Ward No. - 8, P.S. - Nabinagar, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

3 06-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 27.04.2018 in connection with Nabinagar P.S. Case No. 113/2018, G.R. No. 24/2018 for offences punishable under Sections 366A of the Indian Penal Code and Section 8 of POCSO Act, 2012.

The prosecution case, as lodged by the informant, is that his 13 year old daughter Arti Kumari went to the market and did not return. It is alleged that the petitioner must have kidnapped the informant's daughter as he used to eve-tease 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. He submits that the victim girl in her statement under Section 164 Cr.P.C.



has stated that she had a love affair with the petitioner and wants to marry the petitioner. Her age has been recorded as 14 years but she has stated her age to be 17 years. From the case diary it appears that the age of the victim has been assessed as 16 to 17 years which has been ascertained on the basis of medical examination and X-ray report. He submits that there is contradiction in the allegation made in the FIR and the statement of the victim under Section 164 Cr.P.C.

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 Addl. Sessions Judge cum Special Judge, POCSO Act, Aurangabad in connection with Nabinagar P.S. Case No. 113/2018, G.R. No. 24/2018.

(Nilu Agrawal, J)

Rajesh/Pragya

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