

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55545 of 2018

Arising Out of PS.Case No. -327 Year- 2018 Thana -AGAMKUAN District- PATNA

=====

1. Ashwani Yadav, S/o Arjun Prasad Yadav, R/o Vill.- Bhagwat Nagar,
Opposite of Party Zone, P.S.- Agamkuan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajiva Ranjan, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 20-09-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **POCSO SPL. Case No.84**
of 2018 arising out of Agamkuan P.S. Case No.327 of 2018

instituted for the offence under Section(s) 506 Indian Penal Code
and Section 4/12 of the POCSO Act.

Counsel for the petitioner submits that date of birth
of the victim is 21.01.2000. Petitioner has annexed the birth
certificate of the victim as Annexure-2. It is further submitted
that in such circumstance no offence under POCSO Act is made
out. It is further submitted that from the written report itself it
appears that the informant and petitioner were working in the
same office. They were in friendship. The victim established



physical relationship with the petitioner for about six months.

It is alleged that the petitioner on the pretext of performing marriage has established physical relationship. It appears that victim was a consenting party.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, 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 the **Additional Sessions Judge 1st-cum-Special Judge, POCSO, Patna**, in connection with **POCSO SPL. Case No.84 of 2018 arising out of Agamkuan P.S. Case No.327 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

JA/-
Rohit Kr.

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

