

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 76016 of 2018

Arising Out of PS. Case No.-245 Year-2018 Thana- SIRDALA District- Nawada

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Bhashkar Kumar @ Dara @ Bhaska Kumar S/o Akhilesh Rajbansi, Resident
of Village- Khanpura, P.S. Sirdala, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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For the Petitioner/s :	Mr.Kiran Sinha
For the Opposite Party/s :	Mr.Sri Amitesh Kumar

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 18-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered under
Sections 341, 323, 354B of Indian Penal Code and Sections 4
and 8 of POCSO Act.

It is submitted by the petitioner's counsel that at best,
the allegations constitute some kind of an attempt and that there
is no allegation of any sexual offence against the petitioner. It is
submitted that the petitioner has been falsely implicated in this
case which is evident from the fact that the first information
report has been lodged seven days after the occurrence. Learned
counsel for the petitioner also submitted that the first
information report is based on a grudge between the petitioner
and the informant whose *Gotni* was contesting Gram Panchayat
Election and the petitioner had not cast vote in her favour.



Petitioner is in custody since 21.08.2018 having no criminal antecedent.

Considering the aforesaid submissions and the facts and circumstances of the case, petitioner's prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I, Nawada -cum- Special Judge, Nawada in Sirdala Police Station Case No 245 of 2018 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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