

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.57318 of 2018**

Arising Out of PS. Case No.-51 Year-2017 Thana- BAKHTIARPUR District- Saharsa

Brahmdeo Sharma S/o Sri Ragho Sharma @ Raghunandan Sharma, R/o  
Sharma Tola, Nagar Panchayat Simri Bakhtiarapur, P.S.- Bakhtiarapur, District-  
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Veena Kumari Jaiswal

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

4      22-11-2018                      Heard learned counsel for the petitioner and the  
State.

The petitioner seeks bail in POCSO Case No. 22 of  
2017 arising out of Bakhtiarapur P.S. Case No. 51 of 2017  
instituted for the offence under Sections 494, 498, 366(A), 376,  
120B of the Indian Penal Code and Section 4 of POCSO Act.

Counsel for the petitioner submits that victim girl  
has stated her age in the statement under Section 164 Cr. P.C.  
as 17 years. She is married. She has stated in her statement in  
detail that petitioner is her neighbour. He gave Fruity to her  
and thereafter she went with him on Motor Bike. She has  
mentioned in detail about different places where she had gone  
with this petitioner. She has also stated that petitioner has



committed illegal act with her against her wishes. Counsel for the petitioner further submits that the victim girl has not been medically examined by the Doctor. From the statement of victim girl recorded under Section 164 Cr. P.C. it appears that no force was applied by this petitioner with the victim girl.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner 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 learned 1st Additional Sessions Judge-cum-Spl. Judge, Saharsa, in connection with POCSO Case No. 22 of 2017 arising out of Bakhtiarpur P.S. Case No. 51 of 2017 , subject to the condition that both the bailors will be the close relatives of the petitioner.

**(Sanjay Priya, J)**

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