

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57740 of 2018

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Ratan Kumar Sah, S/o Mahendra Prasad Sah @ Mahindra Prasad Sah,
Resident of Village- Chaura Parwaha, Ward No. 10, Mianhat Chowk, P.S.
Forbesganj District- Araria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam, Advocate
For the Opposite Party/s : Md. Sufiyan, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 11.07.2018 in connection with Special (POCSO) Case No.29/2018, arising out of Jogbani P.S. Case No.172 of 2018 registered for the offence under Sections 341, 323, 324, 354B and 506/34 of the Indian Penal Code and Section 8 of the POCSO Act.

Learned counsel for the petitioner submits that the entire allegation has been concocted and is an aftermath of a complaint, which was registered by the father of the petitioner with regard to certain illegal acts committed by the uncle of the present informant. Learned counsel for the petitioner submits that neither the offence under Section 354B of the I.P.C. is



made out nor the provisions of the POCSO Act is attracted in the present case. A bare perusal of the FIR reveals the nature of the allegations made and such allegations do not form the ingredients of the offence, as alleged.

Considering the entire facts and circumstances of the case and that the petitioner has got a clean antecedent, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional District & Sessions-cum-Special Judge, Araria, in connection with Special (POCSO) Case No.29/2018, arising out of Jogbani P.S. Case No.172 of 2018.

(Anjana Mishra, J)

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