

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63409 of 2018

Arising Out of PS. Case No.-135 Year-2018 Thana- NAVINAGAR District- Aurangabad

Vikash Kumar Son of Yamuna Yadav Resident of Village-Gaur Bigha P.S.
Bodhgaya Distt.-Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha
For the Opposite Party/s : Mr. Smt. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 29-10-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Navinagar P.S. Case No. 135 of 2018** registered for the offence punishable under Section 377 of the Indian Penal Code and Section 4 of the POCSO Act.

Informant is the father of the victim boy who in his written complaint has stated that petitioner enticed away his son from outside the house and took him in a room and committed sodomy with him.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to village politics. No injury or abnormality has been found during medical examination of petitioner. Petitioner is poor person and labourer. Petitioner has got no criminal antecedent and is in custody since 22.05.2018.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **1st Additional Sessions Judge cum Special Judge (POCSO) Act, Aurangabad**, in connection with **Navinagar P.S. Case No. 135 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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