

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24894 of 2019

Arising Out of PS. Case No.-89 Year-2018 Thana- PHENHARA District- East Champaran

HARDEW SAHNI Son of Late Bhulan Sahni, Resident of village-
Madhurapur Chakdarbar, P.S.- Fenhara, District- East Champaran.

... .. Petitioner/s

Versus

The State of Biha

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 18-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 01.03.2019 in connection with Fenhara P.S. Case No. 89 of 2018 registered for the offense punishable under Sections 354(A) of the Indian Penal Code and Section 8 of the POCSO Act.

Learned counsel for the petitioner submits that the entire allegation is false and mischievous and has been engineered only because some money was due with regard to irrigation from uncle for the present victim girl. It is thus submitted that only to harass the petitioner, the charges have been levelled against him. He further submits that the mere allegation of catching hold of hand would not amount to an offence under Section 354(a) of the I.P.C. and the rigours of the POCSO Act may not be attracted. Learned counsel for the petitioner submits that in any view of the matter, the petitioner has been in custody since more than a month and he has got a clean antecedent.



In view of the aforementioned facts and circumstances, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari, in connection with Fenhara P.S. Case No. 89 of 2018.

(Anjana Mishra, J)

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