

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51092 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- MAHILA P.S. District- Patna

NITISH KUMAR @ NITISH RAM, aged about 30 years, Male, Son of Late Lilo Ram, Resident of Village- Balwa, P.S.- Ghoswari, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : M/S. Rajendra Kishore Prasad, Rekha Prasad and Rohit Kishore Prasad, Advocates.
For the Opposite Party : Mr.Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-08-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 04.05.2019 in a case for the offence registered under Sections 376/511 of the IPC and 8 of POCSO Act.

The prosecution story, in brief, is that the petitioner has committed sexual assault on the minor daughter of the informant aged about seven years.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Both parties are neighbours. Due to previous



enmity, the present case has been instituted. The victim has been examined under Section 164 Cr. P.C. There is contradictions in between the allegation made in the F.I.R. and the statement of the victim recorded under Section 164 Cr. P.C.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid 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 the learned Additional Sessions Judge-Ist Court-cum-Special Judge, POCSO, Patna, in connection with Mahila P.S. Case No. 38 of 2019.

(Sudhir Singh, J)

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