

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54651 of 2022

Arising Out of PS. Case No.-31 Year-2022 Thana- ADHAOURA District- Kaimur (Bhabua)

NABAJ SARIF @ NIKKI, Son of Sher Muhammad R/o village - Rauta, P.S.-
Adhaura, District - Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan, Advocate
For the State	:	Mrs. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-01-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his/her arrest in a case registered for the offences punishable under Section 354(B) of the Indian Penal Code and Section 8 of the POCSO Act and 3(1)(w), 3(2)(va) of the SC/ST Act.

As per the prosecution case, the informant was going to Huddi to talk on mobile phone and in the way, his co-villager petitioner namely Nikki started some unusual talk and when she forbade him then she was abused and assaulted. It is further alleged that she was slammed down in the bush and when her sister raised



alarm then he fled away from the spot.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case due to village politics and previous enmity. Nothing has been recovered from the possession of the petitioner. No case of under Section 8 of the POCSO Act is made out against the petitioner. The petitioner has got clean antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Kaimur at Bhabua in connection with Adhoura P.S. Case No. 31 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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