

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 8454 of 2016

Niraj Sinha @ Niraj Kumar Sinha
-V e r s u s-
The State of Jharkhand

...Petitioner

...Opp.Party

CORAM: - HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : - M/s. Pratiush Lal & Dilip Kumar, Advocates
For the Opp. Party :- Mr. Suraj Verma, A.P.P.

03/30.11.2016

Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offence punishable under Section 354(B) of the Indian Penal and also under Sections 7 and 8 of POCSO Act, 2012.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has not committed any offence as alleged in the F.I.R. The date of occurrence as per the statement of the informant in the F.I.R. is 08.08.2016 while in the statement of the victim girl recorded under Section 164 of Cr.P.C., the date of occurrence has been said to be 07.08.2016. Moreover, the sister of the victim in her statement recorded under Section 161 of Cr.P.C. has stated that the date of occurrence was 06.08.2016. The said variation in the date of occurrence itself goes to show that there has been false implication of the petitioner as there has been ongoing dispute between the family of the petitioner and the family of the informant with respect to a common passage. The petitioner is a student having no criminal antecedent and he is in judicial custody since 18.08.2016.

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

Considering the aforesaid facts and circumstances, the petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum- Special Judge, Dhanbad in connection with Katras (Angarpathra) P.S. Case no. 193 of 2016 corresponding to G.R. no. 3195 of 2016.

(Rajesh Shankar, J.)