

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36522 of 2015

Arising Out of PS.Case No. -126 Year- 2015 Thana -PIRPAINTI District- BHAGALPUR

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Md. Aalim son of Late Md. Salim, Resient of village- Birbanna, Police
Station- Antichak, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Najmul Hodda, Advocate.

For the Opposite Party : Mr. Rajendra Nath Jha(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-08-2015 Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under Section 354(B) of the Indian Penal Code and under Section 8 of the POCSO Act.

The petitioner was allowed to sleep at the roof of the house of the informant, but in the midnight the petitioner is alleged to have entered into the room of the daughter of the informant and tried to outrage the modesty and on alarm the petitioner was apprehended.

It is submitted that the petitioner happens to be father-in-law of the cousin of the daughter of the informant. On account of some family dispute, the petitioner has falsely been implicated in the case.

On the other hand learned counsel for the informant as well as the learned APP vehemently opposed the prayer for bail and submitted that the victim made her statement under Section 164 of the Cr.P.C. and alleged that it was the petitioner who tried to outrage the modesty after entering into her room.

Considering the facts aforesaid and the fact that the petitioner is alleged to have made an attempt to outrage the modesty of the victim although he was allowed to sleep on the roof of the house of the informant, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Ist Additional Sessions Judge, Bhagalpur in Pirpainti P.S. Case No. 126 of 2015.

(Prabhat Kumar Jha, J.)

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