

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4466 of 2016

Arising Out of PS.Case No. -61 Year- 2015 Thana -KHODAWANPUR District- BEGUSARAI

1. Md. Saffi S/o Md. Rizwan, R/o Village - Amari, P.S. - Khodabandpur,
District - Begusarai. Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ambika Bhagat

For the Opposite Party/s : Mr. Pushpa Sinha (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 28-03-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Kodawandpur
(Chhaurahi) P.S. Case No. 61 of 2015 registered for the offences
punishable under Sections 376/511 of the Indian Penal Code and
Section 8 of POCSO Act.

Allegedly, the petitioner brought the minor daughter of
the informant in the maize field and opened her paint but due to
alarm being raised, the petitioner fled away.

Submission is of false implication and that no offence
under Section 376/511 IPC is made out, no attempt was made by
the petitioner, the victim has also been examined and she stated
that the petitioner has only opened her paint and thereafter, he fled
away. The petitioner is in custody since 04.0.2015, chargesheet
has already been submitted and there is no chance of tampering

with prosecution evidence.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-1-cum-Special Judge, Begusarai in connection with Khodawandpur (Chhaurahi) P.S. Case No. 61 of 2015 (POCSO Case No. 10 of 2015), subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

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(Jitendra Mohan Sharma, J)

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