

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51795 of 2015

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Md. Mohammad Son of Md. Masud Alam Resident of Village Sarbela,
Police Station- Salkhua (Banma Itahari), District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mobila Khatoon wife of Md. Mobinuddin Resident of Village Sarbela,
Police Station- Salkhua O.P. (Banma Itahari), District- Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 17-02-2016 Heard learned counsel for the petitioner and counsel
for the State.

In this case, the petitioner is seeking bail in connection with Salkhua P.S. Case No. 252 of 2014 for offence under Sections 354(A), 363, 376, 379, 420, 120(B), 504 of the Indian Penal Code and Section 3 of the POCSO Act, 2012 corresponding to POCSO 29/2014.

In nutshell, an allegation has been made of commission of mass rape specially against the present petitioner. Delay has been explained in filing the complaint petition.

Learned counsel for the petitioner has pointed out that the Informant is in the habit of filing such type of complaint as, in a similar term, she has also filed a case bearing Complaint Case

No. 805C of 2008 against five persons by and large leveling the similar type of allegation. It has been submitted that she is in habit of lodging case against the persons of the locality. It appears that with an ulterior motive, the petitioner has been falsely implicated in the present case.

Looking to the entire facts and circumstances of the case, let the petitioner, namely, Md. Mohammad be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge cum Special Judge, Saharsa in connection with Salkhua P.S. Case No. 252 of 2014 corresponding to POCSO- 29 of 2014.

(Shivaji Pandey, J)

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