

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31894 of 2017

Arising Out of PS.Case No. -214 Year- 2017 Thana -NARPATGANJ District- ARRARIA

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Md. Dilshad Son of Md. Ahad Resident of Village- Sahajpur, Ward no. 09,
P.S. Birpur, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 28-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
20.05.2017 in connection with Spl. (POCSO) Act Case No. 13 of
2017 arising out of Narpatganj (Ghurna) P.S. Case No. 214 of
2017 for offences punishable under Sections 354 (A) of the Indian
Penal Code and Section 11 of the POCSO Act.

The prosecution case, as lodged by the victim girl, is
that while she was taking bath the petitioner entered the bathroom
and tried to outrage her modesty and on halla the petitioner ran
away.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and no overt act alleged to have been committed. He submits that he has gone at the place of occurrence only for bringing the water and has been falsely been implicated.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Special Judge (POCSO) Act-cum-1st Additional Sessions Judge, Araria in connection with Spl. (POCSO) Act Case No. 13 of 2017 arising out of Narpatganj (Ghurna) P.S. Case No. 214 of 2017, subject to the condition that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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