

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48399 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -MAHILA P.S. District- ARRARIA

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1. FIROJ ANSARI @ FIROJ @ MD. FIROJ ANSARI, Son of Fokchu Ansari, Resident of Village- Domhana, Police Station- Mahalgawn, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar Singh

For the Opposite Party/s : Mr. Pancha Nand Pandit

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 30-11-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in connection with Mahila
P.S. Case No. 22 of 2017/ Special (POCSO) Case No. 11 of
2017 for offences punishable under Sections 376, 341, 323,
379, 504, 506/34 of the Indian Penal Code and Section 3/4 of
the POCSO Act.

The prosecution case, as lodged by the informant,
is that while she went for natural call, the petitioner
committed rape on her.

It has been submitted by the learned counsel for
the petitioner that he is innocent and because of being on



inimical terms with the informant's side, for which an F.I.R. was lodged by the petitioner's side being Jokihat Mahalgaon P.S. Case No. 188/2017, and that a land dispute is between the parties, the petitioner has falsely been implicated. He submits that now good sense has prevailed between the parties and they have compromised the matter lately. He further submits that petitioner suffers from 60% disability, charge-sheet has already been submitted, petitioner is languishing in judicial custody since 15.06.2017 and both are next door neighbours.

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 1st Addl. Sessions Judge cum Special Judge, POCSO Act, Araria in connection with Mahila P.S. Case No. 22 of 2017/ Special (POCSO) Case No. 11 of 2017, subject to the condition that both the bailors would be a close relative of the petitioner having sufficient immovable



property, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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