

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9016 of 2018

Arising Out of PS.Case No. -556 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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Md. Mokim @ Mokim Ansari S/o Md. Mubarak @ Mubarak @ Mobarak Ansari, R/o Village- Jumman Chowk Ward No.1 Kali Mela Road, P.S.- Forbesganj, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate.

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 21-02-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Forbesganj P.S. Case No. 556 of 2017 registered under Sections 354A, 354B and 506/34 of the Indian Penal Code.

The petitioner is said to have been running coaching classes and detaining the minor daughters of the informant after culmination of classes subjected them to sexual harassment.

It is submitted by learned counsel for the petitioner that the petitioner has not committed the aforesaid offence. As a matter of fact, the petitioner has been falsely implicated in the case with ulterior motive to grab handsome money from him by the informant later on compromising the same. The victim in her



statement recorder under Section 164 Cr.P.C. has not alleged about committing of any sexual assault against the petitioner rather she has simply stated that the petitioner used to disrobe him and also the victims and kiss them. On medical examination of the victims, no injury on any part of the person of the victims has been found and also no mark of sexual assault has been reported by the Doctor. The petitioners have been languishing in custody since 20.07.2017. Earlier bail prayer of the petitioner was rejected by this Court vide order dated 21.12.2017 with liberty to renew his prayer for bail after framing of charge and charge in the case has been framed on 16.12.2017.

In the facts and circumstances of the case, the above named petitioner 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 1st Additional Sessions cum Special Judge (POCSO) Act, Araria in connection with Forbesganj P.S. Case No. 556 of 2017, appertaining to Special (POCSO) Act Case No. 23 of 2017.

(Prakash Chandra Jaiswal, J)

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