

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56228 of 2017

Arising Out of PS.Case No. -45 Year- 2016 Thana -MAHILA THANA District- BEGUSARAI

=====

Md. Amzad, S/o Md. Hamid, Resident of Village-Sattichaura, P.S.-Ballia,
District-Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate
: Mr. Binod Kumar, Advocate
For the Opposite Party/s : Mr. Sri Shyam Bihari Singh
For the informant : Mr. Abul Kalam, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 12-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with POCSO Case No. 4 of 2017 arising out of Begusarai Mahila P.S. Case No. 45 of 2016 registered for the offence punishable under Section 376 of the Indian Penal Code and 8 of POCSO Act.

Prior to this FIR the daughter (victim) had also instituted an FIR on 19.09.2016 giving rise to Balia P.S. Case No. 197 of 2016 in which she had alleged of attempt to rape. Medical report assess her age 15 years and no sign of sexual intercourse or spermatozoa was found, however, doctor has opined that sexual



assault is not ruled out. An informatory petition as contained in Annexure-3 has been filed by the side of petitioner against informant's family before the S.D.O. on 08.08.2016.

Learned counsel for the petitioner submitted that the petitioner is innocent and has committed no offence and he has been falsely implicated in this case. It has further been submitted that petitioner has no criminal antecedent and he is in custody since 04.09.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st Cum-Special Judge, POCSO Act, Begusarai, in connection with Begusarai Mahila P.S. Case No. 45 of 2016.

(S. Kumar, J)

veena/-

U		T	
---	--	---	--

