

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10511 of 2018

Arising Out of PS.Case No. -122 Year- 2017 Thana -LAUKHI District- MADHUBANI

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Md. Nazir @ Nazir Ahmad @ Md. Nazir Ahmad, S/o Bilat Mian @ Md. Bilat, R/o Village- Kakardobh, Police Station- Laukahi, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate.

For the informant : Mr. Sanjay Kumar Jha, Advocate.

Dr. Rajesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Ashok Kumar Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 08-05-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and the State.

The petitioner apprehends his arrest in **Laukahi P.S.**
Case No. 122 of 2017 instituted for the offence under Sections
341, 323, 354A, 506 of the Indian Penal Code and Section 8 of
POCSO Act.

Learned counsel for the petitioner has submitted that
alleged occurrence has taken place on 19.05.2017 and the First
Information Report has been registered on 23.06.2017 i.e. after
lapse of one month. It has further been submitted that there is land
dispute between the parties. Petitioner has no criminal antecedent.

There is allegation in the written report that petitioner



attempted to outrage modesty of the daughter of the informant who is dumb.

Case diary has been received.

There is no medical report of the victim girl available in the case diary.

Learned counsel for the informant has appeared and opposed the prayer for anticipatory bail of the petitioner. The informant has not given explanation for lodging the case after delay of more than one month. It is mentioned in the written report that talk of *Panchayat* was going on between the parties.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Laukahi P.S. Case No. 122 of 2017** he shall be released on anticipatory bail on 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, Madhubani**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on



each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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