

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48502 of 2018

Arising Out of PS. Case No.-24 Year-2018 Thana- KATIHAR MUFFASIL District- Katihar

=====

MUSTAQUE@MD. MUSTAQUE S/o Md. Azad @ Azad Uddin, R/o Vill.-
Makhdumpur, P.S.- Muffasil, Katihar, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 06-11-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

The petitioner seeks bail in Muffasil (Katihar) P. S.
Case No. 24 of 2018 instituted for the offence under Section(s)
376, 511, 341, 342, and 323 of the Indian Penal Code and
Section 4 of the POCSO Act.

In the written report, it is alleged that daughter of the
informant, namely, Farhana Khatoon aged about 14 years has
gone to house of his elder brother and she did not return.
Thereafter, informant started searching his daughter and heard
the cry of his daughter from the house of this petitioner. The
informant went to the house of this petitioner and found her
lying on a cot in an unconscious condition. The victim girl
regained her consciousness after some time and stated that this



petitioner tried to outrage her modesty and when she raised objection then he assaulted her.

Learned counsel for the petitioner has submitted that victim was medically examined on the next day of the occurrence. The medical report has been annexed as Annexure 2 to the bail petition, wherein, the doctor has found no sign of assault on private part of the body. The doctor has found only pain and one injury caused by hard and blunt substance.

Learned counsel for the informant has appeared and opposed the prayer for bail.

The petitioner is in custody since 4.5.2018.

Considering the aforesaid, let the petitioner, above named, be released 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 Special Judge, Katihar in connection with Muffasil P. S. Case No. 24 of 2018 subject to the condition that both the bailers shall be the close relative of the petitioner.

(Sanjay Priya, J)

shyambihari/-

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

