

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4381 of 2019

Arising Out of PS. Case No.-196 Year-2018 Thana- BUNIYAD GANJ District- Gaya

Hamid Karim @ Sako @ Sako Mian @ Md. Hamid Karim, son of Late Hafiz Karim, Resident of -Head Manpur, Jora Masjid, P.S.-Buniyadganj, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 05-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in **Buniyadganj P.S. Case No.196 of 2018** instituted for the offence under Section(s) 377, 341 Indian Penal Code, Sections 4, 6 and 8 of the POCSO Act.

Counsel for the petitioner submits that in the written report it is alleged that this petitioner committed unnatural sex with son of the informant for last 20 days, but no such complaint was made earlier.

Counsel for the petitioner further submits that on the date of occurrence his son and daughter had gone to search the victim and found this petitioner committing unnatural offence with him. Such allegation got totally falsified from the report of



the medical examination. The doctor has not mentioned that any injury was found on his private part.

The victim boy has given statement under Section 164 Cr.P.C., wherein, he has stated that this petitioner used to commit unnatural offence with him. He had also given money to him. But, medical report does not support the allegation against the petitioner.

Petitioner is in custody since 19.09.2018.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Sessions Judge, 1st, Gaya**, in connection with **Buniyadganj P.S. Case No.196 of 2018 (POCSO Case No.98 of 2018)**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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