

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79667 of 2018

Arising Out of PS. Case No.-86 Year-2018 Thana- MAHILA PS District- Darbhanga

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Md. Munna S/o Md. Hsnain, resident of Village-Chapki, P.S.-Sadar, District-Darbhangha.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Das
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 22-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Mahila P.S. Case No. 86 of 2018 registered for the offence punishable under Sections 354, 354(A)/354(B)/34 of the Indian Penal Code and Section 8 of POCSO Act.

Informant who claimed herself to be minor has alleged attempting to commit rape upon her by petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to land dispute. It has been further submitted that informant's parents were in need of some land from Md. Hasnain father of the petitioner for the purpose of ingress and outgress but father



of the petitioner denied the same due to this reason petitioner and his family members have been implicated in this case. Allegation of attempt to commit rape is false and concocted. Petitioner has no criminal antecedent and he is in custody since 14.11.2018.

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 1st Addl. Sessions Judge-cum-Special Judge, POCSO Act, Darbhanga, in connection with Mahila P.S. Case No. 86 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the 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. Kumar, J)

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