

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22837 of 2019

Arising Out of PS. Case No.-52 Year-2018 Thana- SAKATPUR District- Darbhanga

Md. Nizam S/o Md. Waksid Naddaf R/o village- Mahiya, P.S.- Sakat pur,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 19-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Sections 341, 342, 323, 376[2][n], 120[B]/34 of the Indian Penal Code and Sections-4, 6 & 8 of the POCSO Act.

Prosecution case in short is that at night, while the daughter of the informant had gone to attend call of nature, the accused persons forcefully committed illegal act with her.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 29-01-2019. Charge sheet has already been submitted. The petitioner has been falsely implicated in the present case. The medical examination report



of the victim does not support the allegation, made in the FIR. The other co-accused with similar allegation have been granted bail by coordinate benches of this court vide orders dated 20-12-2018 & 29-03-2019 passed in Cr. Misc. Nos. 72420 of 2018 and 2509 of 2019.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, 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 learned Additional Sessions Judge-Ist-cum-Special Judge, POCSO Act, Darbhanga in connection with POCSO G.R. Case No. 39 of 2018 arising out of Sakatpur P.S. Case No. 52 of 2018.

(Sudhir Singh, J)

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