

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49563 of 2019

Arising Out of PS. Case No.-182 Year-2017 Thana- BALIYA District- Begusarai

Md. Murshid Son of Late Mohiuddin Resident of Village - Kasba
Husainichak, P.S. - Baliya, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhanshu Shekhar

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-08-2019 Heard learned counsel for the petitioner and learned APP for the
State.

The petitioner seeks bail in a case registered under
Sections 366(A)/34 of the Indian Penal Code and Sections-, 4,
6 & 8 of the POCSO Act.

Allegation against the petitioner is that he along with one
another brought the victim/informant to a garade where the
informant was provided meal, as a result of which, she lost her
consciousness and when she woke up, she found herself being
raped by the petitioner.

It has been submitted on behalf of the petitioner that there
is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner is in custody since 08-10-2018. Charge
sheet has already been submitted. As per medical evidence, the



victim is said to be major. The present case has been instituted for the purpose of marriage of the victim with the petitioner. The petitioner denies any physical relationship with the victim.

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 Special Judge, POCSO Act, Begusarai in connection with POCSO Case No. 46 of 2017 (arising out of Ballia P.S. Case No. 182 of 2017)

(Sudhir Singh, J)

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