

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78628 of 2018

Arising Out of PS. Case No.-461 Year-2018 Thana- MOTIPUR District- Muzaffarpur

Md. Naushad, aged about 39 years, son of Md. Iliyas, Resident of Village-
Rampur Ugan, P.S. Motipur, District Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr. Binod Kumar 2

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-01-2019 This is an application for grant of anticipatory bail in connection with Motipur P.S. Case No. 461 of 2018, disclosing offences under Sections 420, 376, 504, 323, 506/34 of the Indian Penal Code and Section 4/6 of the POCSO Act.

Allegation against the petitioner is of making physical relationship with the informant on the pretext of marriage.

Submission of learned counsel for the petitioner is that the petitioner has falsely implicated in this case and even if the allegation is believed, she was a consenting party and further the medical report does not support the prosecution case.

Heard learned A.P.P. also.

Having heard both sides, considering the above facts and circumstances of the case and also considering that the case is under POCSO Act, I am not inclined to grant anticipatory bail



to the petitioner, rather he should surrender and make prayer for regular bail, which will be considered on the basis of above submission of the petitioner as well as materials available on record.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

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