

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68850 of 2019

Arising Out of PS. Case No.-92 Year-2019 Thana- MAHILA P.S. District- Araria

MD. MANSOOR Son of Jalauddin @ Jalauddin Resident of Village - Safipur
(Safepur), Dimhiya, Ward No.5, P.S.- Araria, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Special (POCSO) Case No. 48 of 2019 arising out of
Araria Mahila P.S. Case no. 92 of 2019 for the offence
punishable under Sections 376, 34 of the Indian Penal Code
and under Section 4 of the POCSO Act.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, the
F.I.R. has been lodged on 16.08.2019 after lapse of almost six
months from the date of occurrence without explaining the
plausible delay which creates doubt over the prosecution



version. Moreover, the victim is a major girl and the petitioner has falsely been implicated in this case only to put pressure on the petitioner to perform marriage with the victim. Hence, the petitioner may be granted the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the, above named, petitioner in the event of his arrest or surrender before the court below within a period of four weeks be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions -cum- Special Judge, Araria in connection with Special (POCSO) Case No. 48 of 2019 arising out of Araria Mahila P.S. Case No. 92 of 2019 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Arvind Srivastava, J)

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