

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77436 of 2019

Arising Out of PS. Case No.-472 Year-2019 Thana- NARPATGANJ District- Araria

Md. Mandan @ Mannan, aged about 45 years, Male, Son of Sattar, Resident of Village Pathraha, P.S. Narpatganj, District Araria, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-11-2019 Heard both sides.

The petitioner seeks bail in Narpatganj (Ghurna) P.S. Case No.472 of 2019, corresponding to Special (POCSO) Case No.47 of 2019, registered under Sections 377, 201 and 34 of the Indian Penal Code and under Section 4 of the POCSO Act.

The informant alleged that Afroz committed unnatural offence with her minor son and while the informant was taking her son to police station, the petitioner Md. Mandan @ Mannan is said to have asked the informant not to inform the police and he would get him treated. The informant further alleged that there was profuse bleeding from the anus of his son and he was on the verge of death. Later on the petitioner refused to get her son treated and the son of the informant died during the course of treatment.



Learned counsel for the petitioner submits that the only allegation against the petitioner is that he assured the informant to get her son treated but the petitioner did not get the son of the informant treated. The allegation of committing unnatural offence is against Afroz. The petitioner did not even touch the body of the son of the informant. The petitioner is in jail since 13.08.2019.

Considering the facts that the petitioner is not alleged to have committed any unnatural offence with the victim and the petitioner only assured to get the victim treated and for that the petitioner is in jail since 13.08.2019, let petitioner, above named, be directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions-cum-Spl (POCSO) Judge, Araria in connection with Narpatganj (Ghurna) P.S. Case No.472 of 2019, corresponding to Special (POCSO) Case No.47 of 2019.

(Prabhat Kumar Jha, J)

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