

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13646 of 2020**

Arising Out of PS. Case No.-348 Year-2019 Thana- NAUTAN District- West Champaran

SADDAM MIAN S/o Jumuddin Miyan @ Jumdin Miyan Resident of Village
- Mangalpur Kala, P.S. - Nautan, District - West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 25-06-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Sections 341, 323, 376, 504/34 of the Indian Penal Code and 4
and 6 of POCSO Act.

Prosecution allegation, in short, is that the accused person
caught the minor daughter of the informant and forcibly committed
rape on 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



has falsely been implicated in the present case. The medical examination report of the victim does not support the allegation made in the F.I.R.. Other co-accused has been granted anticipatory bail vide Annexure-3 to the present application.

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

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned 1st Additional District & Sessions Judge -cum- Special Judge, SC/ST/POCSO), Bettiah, West Champaran in connection with Nautan P.S. Case No. 348 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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