

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18865 of 2020

Arising Out of PS. Case No.-813 Year-2018 Thana- MOTIPUR District- Muzaffarpur

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MOHAMMAD MUNNA @ MD. MUNNA @ MUNNA MIYAN Son of Shah
Mahammad Resident of Village - Nariyar Tola Baraitha, P.S.- Motipur,
District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-06-2020 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 seeks bail in a case instituted for the
offences under Sections 376/511 of the Indian Penal Code and
4, 6, 7 and 8 of the POCSO Act.

The prosecution allegation, in short, is that while the
victim was alone in her house, the accused person tried to
outrage the modesty of the minor daughter of the informant.

It has been submitted on behalf of the petitioner that



the petitioner is in custody since 28.11.2019 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. In the trial, the victim was examined by the Trial Court. The victim, in her deposition, has retracted from her earlier statement made under Section 164 Cr.P.C. The deposition of the victim in the trial is Annexure-3 to the present application. The same does not support the allegation made in the F.I.R.

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, is directed to be released on bail on his personal bond to the satisfaction of learned 1st Additional Sessions Judge -cum- Special Judge, POCSO, Muzaffarpur in connection with Motipur P.S. Case No. 813 of 2018.

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 four weeks to the satisfaction of the Court concerned in connection



with the aforesaid case.

(Sudhir Singh, J)

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