

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27560 of 2020

Arising Out of PS. Case No.-42 Year-2019 Thana- SALIMPUR District- Patna

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SALIM MIYAN @ MD. SALIM MIAN S/o Late Aasin Miyan Resident of
Village-Saidpur, P.S.-Salimpur, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rekha Prasad

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-10-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Salimpur P.S. Case No. 42
of 2019, registered for the offence punishable under Sections
342, 323, 377 of the Indian Penal Code.

As per the prosecution case, petitioner is alleged to
have committed unnatural offence with the informant's son aged
about 12 years after administering liquor to him.

It is submitted on behalf of the petitioner that
petitioner is innocent and has falsely been implicated in this
case. There is no eye-witness of the occurrence. Medical report



does not support the prosecution story. Petitioner is in custody since 28.05.2020 having no criminal antecedent as stated in para 3 of the bail petition.

Learned APP however, vehemently opposed the prayer for bail and submitted that there is specific allegation against this petitioner that he committed unnatural offence with the informant's son after administering liquor.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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