

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87397 of 2019

Arising Out of PS. Case No.-20 Year-2019 Thana- LODIPUR District- Bhagalpur

MD. SAMIM @ SAMIM Son of Late Md. Karu Resident of Village -
Tabalpur, P.S.- Lodipur, District -Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Lodipur PS case no. 20 of 2019 registered for the offences punishable under Sections 354A, 354D, 504, 363, 511 of Indian Penal Code and Section 8 of POCSO Act.

The allegation is regarding the co-accused person namely Md. Faiyaz having engaged in abusing the minor daughter of the informant as also it is alleged that he used to throw smokes of cigarette on her face and had also tried to pick-up her on a motorcycle but the victim girl had managed to escape. As far as the petitioner is concerned, it is alleged that said co-accused person Md. Faiyaz used to sit at the shop of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and



is having a clean antecedent. It is further submitted that there is no allegation of the petitioner having misbehaved with the victim girl, hence the petitioner is entitled to the privilege of anticipatory bail.

Having regard to the facts and circumstances of the case, considering submissions made by the learned counsel for the petitioner coupled with the fact that there is no allegation of misbehaving with the victim girl, as far as the petitioner herein is concerned, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st A.D.J.-cum-Special Judge (POCSO) Bhagalpur in connection with Lodipur PS case no. 20 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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