IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15772 of 2021

Arising Out of PS. Case No.-5 Year-2020 Thana- BIHARIGANJ District- Madhepura

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MD NEPLA Son of Md. Idris Resident of Village - Kusthan Ward No.03, P.S.- Bihariganj, Distt.- Madhepura.

... ... Petitioner/s

Versus

THE STATE OF BIHAR

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Nafisuzzoha, Advocate
For the State : Mr. Damodar Prasad Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 11-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 448, 452 and 354 of the Indian Penal Code and section 12 of the POCSO Act.

As per allegations in the F.I.R., while the informant was sleeping along with the members of her family, it is stated that the petitioner entered and was misbehaving with her 9 year old grand daughter. He was caught and handed over to the police.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the F.I.R. are false and concocted. The petitioner has been falsely implicated in the case due to oblique reasons. He is in custody since 3.1.2020 and has

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no criminal antecedent. Investigation in the case has concluded.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Bihariganj P.S. Case no. 5 of 2020 (POCSO Case no. 1 of 2020) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge POCSO, Madhepura.

(Partha Sarthy, J)

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