

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17207 of 2021

Arising Out of PS. Case No.-301 Year-2020 Thana- SURSAND District- Sitamarhi

ZAKIR RAIN Son of Liyakat Rain Resident of Village - Sri Khandi Bhitha
Purvi, Ward No.1, P.S.- Sursand, Distt.- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Hans Lal Kumar, Advocate
For the Opposite Party : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 07-09-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in Sursand Police Station Case No. 301 of 2020 registered for the offences punishable under sections 354/34 and other allied sections of the Indian Penal Code and section 8 of the POCSO Act.

As per the prosecution case, at 11 pm the petitioner entered the house of the informant and forcibly tried to outrage the modesty of informant's 16 years old daughter. However, she raised alarm and other family members reached there. Meanwhile, petitioner tried to run away but he was caught by the family members. It is also alleged that on the earlier occasion also, he had tried to commit the same offence.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case as no such offence ever took place. Petitioner and informant are next door neighbourer. Petitioner is married having four children and allegation as alleged against him appears to be improbable. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 30.9.2020.

Learned counsel for the State opposes the prayer for bail and submits that there is allegation against the petitioner that he tried to outrage the modesty of the victim and he is also a habitual offender.

In view of the nature and gravity of allegation against the petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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