

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21540 of 2020

Arising Out of PS. Case No.-199 Year-2020 Thana- KANTI THARMAL POWER District-
Muzaffarpur

MD. SHAHNAWAZ Son of Md. Motiur Rahman, Resident of Village-
Chakmurmur, P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Nilesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

7 08-01-2021 Heard learned counsel for the petitioner and learned
APP for the State. Learned counsel for the petitioner has filed an
undertaking to remove all defects pointed out by the Stamp
Reporter as and when required. It is accordingly directed that all
defects pointed out by the Stamp Reporter be removed within
one month hereof.

2. The petitioner is in custody since 07.04.2020 in
connection with Kanti P.S. Case No. 199 of 2020 for the alleged
offences under Sections 341, 342, 354A, 354D, 504, 506/34 of
the Indian Penal Code and Sections 8/12 of the POCSO Act.

3. It is submitted that the petitioner has been falsely
implicated on the allegation of committing various acts of
physical harassment of the informant by three persons including
the petitioner. It is submitted that the allegation of taking
photograph of the informant is not supported by any material.
The allegations under the various provisions of the Indian Penal
Code are bailable while those under Section 8 of the POCSO Act
are not applicable. The petitioner claims clean antecedents.



4. Learned APP relies on the case diary and invites reference to para 56 containing statement of the informant recorded under Section 164 Cr. P.C. in which she has reiterated the allegations.

5. Be that as it may, let the petitioner above named be released on bail on completion of one year in custody, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, Muzaffarpur in connection with Kanti P.S. Case No. 199 of 2020, if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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