

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36354 of 2020**

Arising Out of PS. Case No.-197 Year-2019 Thana- WARISNAGAR District- Samastipur

Mohammad Nijamuddin @ Dulare @ Md. Nijamuddin Son of Mohammad Tahir @ Md. Tahir Resident of Village- Nagarbasti Nur Ganj Ward No. 1, Police Station- Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjan Kumar, Adv.

For the Opposite Party/s : Ms. Shaheena Begum, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      29-01-2021                      Heard the learned counsel for the petitioner and Ms. Shaheena Begum, the learned APP for the State.

The petitioner seeks regular bail in connection with Warisnagar (Mathurapur O.P.) P.S. Case No. 197 of 2019 for the offence punishable under sections 376, 511 of the Indian Penal Code and section 4/6 of the POCSO Act.

The case of the prosecution in brief is that when the grand daughter of the informant aged about 8 years had gone to attend the call of nature in the mango orchard, after some time she started raising alarm, whereupon the informant along with his co-villager had gone there and then they found the petitioner sitting over her body, whereafter they had caught the petitioner and handed him over to the police.



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 04.08.2019.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that a heinous crime is alleged to have been committed by the petitioner herein, I do not find any merit in the present petition.

Accordingly, the present petition stands dismissed.

**(Mohit Kumar Shah, J)**

Tiwary/-

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