

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38041 of 2020

Arising Out of PS. Case No.-59 Year-2020 Thana- JALALGARH District- Purnia

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Md Jumman @ Md Sakil Resident Of Village- Begampur Lehri Tola, P.S.
Jalaigarh, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nadimul Hasan, Advocate

For the Opposite Party/s : Mr PK Pandey, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 28-10-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in Special POCSO
Case No. 33 of 2020/Jalalgarh Police Station Case No. 59 of
2020 registered for the offences punishable under sections
376/34 and other allied sections of the Indian Penal Code.

As per the prosecution case, petitioner is alleged to
have forcibly made physical relation with the 15 years old
daughter of the informant.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. In fact, informant wanted to marry his daughter with the
petitioner but on refusal the instant false case has been lodged
against the petitioner. In the medical report no sign of rape has
been found. Petitioner has got clean antecedent as stated in



paragraph 3 of the bail petition. Petitioner is in custody since 9.6.2020.

Learned counsel for the State opposes the prayer for bail and submits that there is specific allegation against the petitioner that he forcibly made physical relation with the 15 years old daughter of the informant and the victim in her section 164 Cr.P.C. statement has supported the prosecution case.

Considering the rival submissions of the parties, materials available on the record and the nature of accusation against the petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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