

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8343 of 2021

Arising Out of PS. Case No.-211 Year-2019 Thana- BUNIYAD GANJ District- Gaya

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KHURSHID SON OF MD. ASGHAR R/O VILLAGE- ALIPUR, P.S.-
BUNIYADGANJ, DISTRICT- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate
For the Opposite Party/s : Mr. Iftexhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-07-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Buniyadganj P.S. Case
no. 211 of 2019 registered under section 354B, 341 and 506 of
the Indian Penal Code and section 8 of the POCSO Act.

As per allegation in the FIR, on the informant
returning to her house, she was informed by her 5 years old
daughter about misbehavior by this petitioner.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. For an
occurrence alleged to have taken place on 4.11.2019 in the day
time, inspite of the police station being at a distance of only ½



km, information was given to the police station only on 5.11.2019 at 3:10 pm and that too after getting the statement neatly typed. It is further submitted that the daughter of the informant has not been medically examined. The petitioner is in custody since 3.9.2020 and has no criminal antecedent.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation directly made against this petitioner as narrated in the FIR together with the 5 years old daughter of the informant having reiterated the allegation in her statement under section 164 Cr.P.C., the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

The learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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