

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8334 of 2021

Arising Out of PS. Case No.-66 Year-2020 Thana- ISHAKCHAK District- Bhagalpur

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MD. SHAHNAWAZ ALI @ SUNNY @ SUNNY KHATAL Son of Late Md. Afsar Ali Resident of Mohalla- Barahpura Paschim Tola Mir Feku Lane, P.S.- Ishakchak, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Anand Kishore Chaudhary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-07-2021 Heard learned counsel for the petitioner and learned A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Ishakchak P.S. Case No. 66 of 2020 registered under sections 354B, 341, 504, 506 and 34 of the Indian Penal Code and section 8 of the POCSO Act.

As per allegation in the F.I.R., in the evening at about 9:30 pm when the daughter of the informant had gone to lock the gate, the accused persons including the petitioner herein are stated to have caught hold of the informant's daughter and misbehaved with her. On her raising *hulla*, it is stated that her clothes were torn and the accused persons escaped.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the F.I.R. are false and concocted. For an occurrence alleged to have taken place on 12.5.2020, information



was given to the police station and the F.I.R. registered on 1.6.2020 without any reasonable explanation for the delay. There is case and counter case between the parties. The petitioner is in custody since 9.10.2020 and investigation in the case has concluded.

The prayer for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the nature of allegation, the case and counter case between the parties, delay in lodging of the F.I.R. together with the investigation in the case having concluded, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Ishakchak P.S. Case No. 66 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VI-cum-Special Judge, POCSO Act, Bhagalpur.

(Partha Sarthy, J)

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