

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4200 of 2022

Arising Out of PS. Case No.-95 Year-2021 Thana- SAHODARA District- West Champaran

MD RAMJAN MIYAN @ RAMJAN MIYAN Son of Late Dukhi Miyan @
Dhakku Miyan Resident of Village - Sherwa, P.s.- Sahodara, Dist.- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 376, 511 of the Indian Penal Code
and 8 and 18 of POCSO Act.

The prosecution allegation, in short, is that the
petitioner tried to outrage the modesty of the daughter of the
informant and further attempted to commit rape upon her.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against



the petitioner. The petitioner has falsely been implicated in the present case. From perusal of the F.I.R. it appears that at best it is a case for offence under Section 354 IPC and the same is triable by Magistrate. The petitioner is a 55 year's old person.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge -7th-cum- Special Judge, POCSO, Bettiah, West Champaran in connection with Sahodara P.S. Case No. 95/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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