

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17106 of 2022**

Arising Out of PS. Case No.-1 Year-2020 Thana- BASOPATTI District- Madhubani

MD. EBRAN @ MD.INRAJ @ MD.IBRAN Son of Md. Ilyas @ Md. Ilyas
@ Ilyas Shekh Resident of Village - Kataiya ward No.5, P.s.- Basopatti,
Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 21-07-2022 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 376, 511, 452,
323, 504 and 506 of the Indian Penal Code and Section 08 and
12 of the POCSO Act.

As per the prosecution case, the petitioner is said to
have caught hold of the informant's daughter and tried to
commit rape. Upon hearing her screams, some people came
there running and the petitioner fled away. Thereafter, all



accused persons holding weapons assaulted the informant and others on the issue of Panchayati

Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case. Learned counsel for the petitioner further submitted that the charge-sheet has been submitted against the petitioner under Section 354, 323, 504/34 of IPC but learned Court below also took cognizance under sections 354B, 504, 323 and 34 of the I.P.C. and section 12 of the POCSO Act against the petitioner. The petitioner has clean antecedent as stated at para 3 of the bail petition. The petitioner is in custody since 28.02.2022.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Special Judge (POCSO), Madhubani in connection with Basopatti P.S. Case No. 01 of 2020, with a condition that the petitioner is directed to remain physically present before the learned Court below on



each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

sanjeev/-

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