

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36848 of 2021

Arising Out of PS. Case No.-268 Year-2021 Thana- DIGHA District- Patna

MD. KHALID @ MD. KHAMID @ GOLDEN Son of Late Gulam Rasul @
Ghulam Rasool Resident of Village- Polsan Road, Madarsa Gali Near Ankur
Public School, P.S.- Digha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 354A, 354B and 354D of the Indian Penal Code and sections 4, 6 and 8 of the POCSO Act.

As per the prosecution case, on the nine year old niece of the informant going to purchase chocolate in the shop of the petitioner, it is stated that he forcibly kissed her and with the intent to commit objectionable act, he started pulling down the shutter of the shop. The informant's niece escaped.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Investigation in the case has concluded with submission of



charge sheet which has been brought on record in the supplementary affidavit. Referring to the same it is submitted by learned counsel for the petitioner that charge sheet has been submitted under sections 354A and 354D of the Indian Penal Code which are both bailable offence and further even as per the allegations, no offence under sections 4, 6 or 8 of the POCSO Act is made out. The petitioner is in custody since 13.5.2021 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Special (POCSO) Case no. 60 of 2021 (arising out of Digha P.S. Case no. 268 of 2021) 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 Sessions Judge VI-cum-Spl. Judge, POCSO Act, Patna.

(Partha Sarthy, J)

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