

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38900 of 2021

Arising Out of PS. Case No.-33 Year-2021 Thana- TERHAGACHH District- Kishanganj

MD. MUSHTAQUE Son of Nurujjaman Resident of Village - Punas, Post - Sontha, P.S.- Kochadhaman, District - Kishanganj, Presently working as an Executive Assistant in the office of Electric Supply Division, Bahadurganj, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-06-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 376, 511 of the Indian Penal Code and Section 8 of the POCSO Act.

As per the F.I.R., the allegation against the petitioner is that he attempted to outrage the modesty of informant, who had gone to attend the call of nature.

Submission of the petitioner is that petitioner has been falsely implicated in this case and as a matter of fact, while the petitioner was coming back Kishanganj by his motorcycle and reached near the house of informant, some hot talk took place between petitioner and informant and thereafter, the local people objected him, snatched his motorcycle & Laptop and thereafter, this false case has been instituted against him. Petitioner has got clean antecedent.



Learned A.P.P. for the State has opposed the prayer for bail.

However, considering the aforesaid facts and circumstances as well as clean antecedent of petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge I cum Special Judge, Kishanganj in connection with Tedhagachh P.S. Case No. 33 of 2021, corresponding to CIS No. 17 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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