

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31020 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- DAGARUA District- Purnia

MD. SHAYAK Son of md. Mumtaj @ Mymtaj, Resident of Village - Gehuwa,
P.S. - Dagarua, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 05-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Dagarua P.S. Case No. 04 of 2022 lodged under Sections 341,
323, 376, 504 and 506/34 of the Indian Penal Code and Section
3/4 POCSO Act.

As per prosecution, allegation against the petitioner to
commit rape with the daughter of the informant.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Counsel
further submits that petitioner and informant are husband and
wife, due to petty issue this case has been filed and during

investigation police has found there is no material under section 376 of I.P.C. is available in this case. Counsel further submits that petitioner is in custody since 21.01.2022 and there is one criminal case pending against the petitioner in which he is on bail. Counsel further submits that charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-cum-Special Judge (POCSO), Purnea in connection with Dagarua P.S. Case No. 04 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C..

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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