

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48595 of 2021**

Arising Out of PS. Case No.-130 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

MD ASHRAF S/o Md. Mansoor @ Bablu Resident of Village - Mubarakpur,
P.S. - Muffasil, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER**

4 25-04-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with POCSO Case No. 15 of 2021 arising out of Mufassil P.S. Case No. 130 of 2021 registered under Sections 341, 323, 354(D), 376, 504, 506/34 of the Indian Penal Code and 04/06 of the POCSO Act.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case due to ill motive and previous grudge. The first information report is lodged after lapse of nine days of the alleged occurrence. The Doctor examined the prosecutrix and opined that the informant is major aged about

17 to 19 years (Annexure-2). Further he submits that from perusal of Annexure-3, it appears that the allegation of illicit intercourse or relation is not corroborated by the medical evidence. Petitioner has no criminal antecedent.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of the Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Begusarai in connection with POCSO Case No. 15 of 2021 arising out of Muffassil P.S. Case No. 130 of 2021, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

shailendra/-

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