

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56307 of 2021

Arising Out of PS. Case No.-651 Year-2019 Thana- ALAMGANJ District- Patna

Jugnu @ Md. Jugnu @ Md. Raj, Son of Md. Mofid Sekh, Resident of Kabirpur, P.S.- Nathnagar, District- Bhagalpur, at present resident of Bajrangpuri, Jalla, Chak, P.S.- Alamganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prahalad Kumar Bhagat, Adv.

For the Opposite Party/s : Mr.Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-04-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Binod Kumar No.3, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Alamganj P.S. Case No.651 of 2019 registered for the offences punishable under Sections 376 and 511 of the Indian Penal Code and Sections 8 and 12 of the POCSO Act. He is in custody since 12.08.2021. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that, as per the First Information Report, the co-accused Sonu and Golu are



said to have attempted to commit rape upon the informant in a room which was situated on third floor of the garage of the petitioner.

Learned counsel for the petitioner submits that submits that the petitioner is innocent and has been falsely implicated in this case merely on suspicion. Learned counsel submits that the specific allegation of forcibly asking the victim girl to consume liquor and further the allegation of attempt to rape has been made against the co-accused Sonu and Golu who have already been granted bail by learned coordinate Benches of this Court in Cr.Misc.No.86252 of 2019 and Cr.Misc.No.28965 of 2021.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that in the First Information Report the specific allegation of forcibly asking the victim girl to consume liquor and further the allegation of attempt to rape has been made against the co-accused Sonu and Golu who have already been granted bail by learned coordinate Benches of this Court in Cr.Misc.No.86252 of 2019 and Cr.Misc.No.28965 of 2021, there being no specific allegation against this petitioner of commission of any overt act and he has



otherwise no criminal antecedent and has remained in custody since 12.08.2021, investigation against him is complete and his presence may be secured in course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.D.J.-VII-cum-Special Judge-POCSO, Patna in connection with Special Case No.172 of 2019, arising out of Alamganj P.S. Case No.651 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

