

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48211 of 2022

Arising Out of PS. Case No.-25 Year-2022 Thana- BIHRA District- Saharsa

MD. BADRUL @ HANI SINGH @ HANI SAH Son of Late Dukha Meya
Resident of Village - Bijalpur, P.S. Bihra, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand

For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-12-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner is directed to
remove the defect(s) as pointed out by the office within a period
of four weeks.

The petitioner seeks bail in a case registered for the
offence under Sections-328, 341, 323, 504, 506, 363, 366(A),
376(DA)/34 of the Indian Penal Code and Sections-3(1)(r)(s)
(wi), 3(2)(va),33(2)(v) SC/ST Act and Sections 4 & 6 of
POCSO Act.

The prosecution allegation, in short, is that the
petitioner and co-accused abducted and committed rape upon
the daughter of the informant.

It has been submitted on behalf of the petitioner that



there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The case has been instituted after nine days of the alleged occurrence. The petitioner has referred paragraph-58 of the case diary where an independent witness has categorically stated that there was a love affair and the said love affair between the brother of the petitioner and the victim was not liked by family members of the victim and for the said reason, the petitioner and his entire family members have been made accused in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each of the satisfaction of learned A.S.J.-Vicum-Spl. Judge (POCSO), Saharsa in connection with Bihra P.S. Case No. 25 of 2022.

(Sudhir Singh, J)

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