

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50794 of 2022

Arising Out of PS. Case No.-74 Year-2022 Thana- BHAPTIAHI District- Supaul

MD. JAKIR HUSAIN S/o Md. Jainunuddin R/o village- Chhitahi Hanuman
Nagar (Palar), Ward No. 03, P.S.- Bhaptiyahi, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Kumar Mehta
Mr.Rana Baljit Singh Adv.
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 13-12-2022 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 341, 323, 506,
354(B) (D) of the Indian Penal Code and Sections 8 and 17 of
the POCSO Act.

As per the prosecution case, the petitioner who is an
assistant teacher in Utkarmit Madhiya Vidayala, called the
victim aged about 12 years and took her to the ground floor
under the stairs and caught hold of her and compelled her to sit
on his lap and slammed her on the ground with sexual intent and
when the victim started shouting, the petitioner left her. The
informant's daughter reached her home and narrated the whole



story to the informant. It is further alleged when the informant confronted the petitioner the petitioner threatened to shoot him.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner has further submitted that the case has been lodged against the petitioner in conspiracy with the other teachers of the school in order to ruin the petitioner's career. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.07.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Supaul in connection with Bhaptiahi P.S. Case No. 74 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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