

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1523 of 2022

Arising Out of PS. Case No.-79 Year-2021 Thana- MIRGANJ District- Purnia

Md Basika @ Aashika Son of Sharif Resident of Village - Jarlahi Kajra, P.s.-
Mirganj, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Singh

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-06-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 147, 341, 323, 324, 354, 379, 452 of the

Indian Penal Code and Sections 8 and 12 of the

Protection of Children From Sexual Offences Act.



It is alleged that the petitioner along with other accused persons variously armed entered into the house of the informant and tried to drag her daughter aged about 13 years to outrage her modesty and when the informant raised alarm, all the miscreants assaulted her and her son and tried to kill her.

It is submitted by learned counsel for the petitioner that in the background of some earlier dispute, the present F.I.R has been registered. The victim in her statements under Section 164 and 161 has made contradictory statements which falsifies the prosecution version. It is only alleged that victim was dragged, hence, it does not come under the purview of outraging the modesty of the victim. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four



weeks from today, be released on anticipatory bail on
furnishing bail bonds of Rs. 10,000/-(Ten Thousands)
with two sureties of the like amount each to the
satisfaction of learned VIIth Additional Sessions Judge-
cum-Special Judge, POCSO, Purnea in connection with
Mirganj P.S. Case No. 79 of 2021, subject to the
conditions as laid down under Section 438(2) of the
Cr.P.C.

(Sunil Kumar Panwar, J)

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