

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8051 of 2023

Arising Out of PS. Case No.-98 Year-2021 Thana- BHITAHA District- West Champaran

Binod Bin Son Of Late Mahanth Bin R/V- Rupahi Tand, P.S- Bhitaha Dist -
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 09-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 354(B), 376 and 511 of the Indian Penal Code and Sections 8/12 of the POCSO Act.

As per prosecution case, the allegation against the petitioner is that he outraged the modesty of the informant's minor daughter and tried to commit rape upon her.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that there is no physical assault has been committed by the petitioner with the informant's daughter as per the statement of the victim



recorded under Section 161 of the Cr.P.C. It is also submitted that a statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, the petitioner has surrendered himself in the Court on 19.09.2022 since then he is languishing in judicial custody.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhitaha P.S. Case No. 98 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-VIIth-cum-Special Judge, POCSO, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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