

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8221 of 2023**

Arising Out of PS. Case No.-377 Year-2022 Thana- JAYNAGAR District- Madhubani

MD. AFZAL Son of Md. Samim Resident of village- Korahiya, P.S.-  
Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ravi Prakash  
For the Opposite Party/s : Mr.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      05-07-2023                      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 376 (DA), 327, 120B, of the IPC and Sections 6, 8, 12, 14, 15 of the POCSO Act and Sections 3(i)(r)(s)(wi)3(2)(va) of the SC/ST Act.

As per FIR, the allegation against the accused persons including this petitioner is that they committed rape with the victim and made obscene videos and they used to threaten her to viral the same.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has got no criminal



antecedent. As per statement of the victim recorded under Section 164 of the Cr.P.C., which is annexed with case diary, wherein she stated contradictory statement and not specifically stated about complicity of the petitioner in this alleged occurrence. It is further submitted that the petitioner is languishing in judicial custody since 16.10.2022.

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 Jaynagar P.S. Case No. 377 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge POCSO, Madhubani.

**(Sunil Kumar Panwar, J)**

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