

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8138 of 2023

Arising Out of PS. Case No.-524 Year-2022 Thana- KORHA District- Katihar

MD. MAHFOOZ ALAM @ MAHFOOZ ALAM S/o Md. Islam R/o Village-
K.Nagar (Bhokraha) ward no. 4, P.S.- K.Nagar, Distt- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-05-2023 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Korha Police Station Case No. 524 of 2022, dated 24.11.2022,
registered for the offences punishable under Sections 341/342/
354-B of the Indian Penal Code and Section 8 of the Prevention
of Children from Sexual Offences Act, 2012.

The prosecution case, as per the First Information
Report lodged by the father of the victim girl, is that while the
victim girl, aged about 16 years, was returning home from
making purchase of some article from the departmental store,
she was intercepted by the petitioner, who started teasing her
and upon hulla being raised by the victim girl, the local persons
assembled there and apprehended the petitioner.



Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case at the behest of some local persons, who were having inimical terms with the petitioner. He further submits that the First Information Report has not been lodged by the victim girl herself, rather, the same has been lodged by the father of the victim girl. He further submits that the statement of the victim girl was recorded under Section 164 of the Code of Criminal Procedure, 1973 and from perusal of the statement, as recorded in the impugned order, it would be evident that the petitioner was dragging the victim girl by catching hold of her hand.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record, including the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure, 1973, and the fact that charge sheet has already been submitted and the petitioner is in custody since 25.11.2022, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned 7th Additional Sessions Judge -cum- Special Judge,
POCSO, Katihar, in connection with Korha Police Station Case
No. 524 of 2022.

This is subject to the condition that the petitioner shall
present himself before the Court, as and when required and in
the event of failure on his part to appear before the Court on two
consecutive occasions, his bail bond shall be liable to be
cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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