

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20071 of 2023

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

Md. Tausif @ Md. Taufik Raza S/O Md. Anwar Ali Resident Of Village-
Korahiya, P.S.- Jaynagar, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad
For the Opposite Party/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 01-08-2023 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 376(DA), 327, 120B, of the Indian Penal Code and Sections 6, 8, 12, 14, 15, of the POCSO Act and under 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 also 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 has not specifically stated about any physical or sexual complicity of the petitioner in this alleged occurrence. Similarly situated co-accused has already been granted bail by this Court vide order dated 05.07.2023 passed in Cr. Misc. No. 8221 of 2023. 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 A.D.J.-VI-cum
Special Judge, POCSO, Madhubani.

(Sunil Kumar Panwar, J)

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