

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29431 of 2023**

Arising Out of PS. Case No.-79 Year-2021 Thana- PURUSHOTTAMPUR District- West
Champaran

=====

Oseeyar Alam @ Oseeyar Miya @ Osehar Alam Son of Samsuddin Miya
R/V- Laxmipur, PS- Purushottampur, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shashank Chandra, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Purushottampur P.S. Case No. 79 of 2021 dated 23.10.2021,
lodged under Sections 376, 511, 506 & 34 of the I.P.C. read with
Section 4 and 8 of the POCSO Act and Section 67 of the I.T.
Act.

4. As per the prosecution case, the F.I.R. has been
lodged against four named accused persons including the
present petitioner. The allegation as per the F.I.R. is that the
accused persons including the petitioner have tried to commit
rape with the minor daughter of the informant.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that petitioner has falsely been implicated in this case and he is in no way related with the present occurrence. Counsel further submits that from the contents of the F.I.R., it transpires that petitioner was alleged to prepare a video when the alleged victim was standing with Gulfam. Counsel further submits that the statement under Section 161 was recorded in which victim has not narrated any wrongful act doing against the petitioner. Counsel submits that the antecedent of the petitioner is clean and he is in custody since 13.01.2023. Counsel further submits that out of four co-accused other co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 24.05.2023 passed in Cr. Misc. No. 26998 of 2023.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIIth-cum-Special Judge (POCSO), Bettiah, West Champaran in

connection with Purushottampur P.S. Case No. 79 of 2021,
subject to the conditions as laid down under Section 437(3) of
Cr.P.C.

8. With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

sadique/-

U		T	
---	--	---	--