

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52080 of 2021

Arising Out of PS. Case No.-197 Year-2017 Thana- KAMTAUL District- Darbhanga

Md. Neyaz @ Md. Salman Rain @ Md. Saddam Rain Son of Md. Islam Rain
@ Md. Islam @ Islam Resident of Village - Jahangir Tola, P.S.- Kamtaul,
District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha,Adv.
For the Opposite Party/s : Ms.Shaheen Begum,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-12-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 341, 323, 354, 506, 354(A) of the Indian Penal Code and Sections 8, 12 of the POCSO Act.

3. It is alleged that when the informant was alone at an orchard, this petitioner came and took her in his lap and kissed her. It is further alleged that petitioner also assaulted the victim and threatened to kill her all the family members.

4. It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case. During investigation, the entire allegations were found false and as such, police submitted chargesheet against petitioner only under Sections 323 and 504 of the I.P.C. No offence under Sections 8 & 12 is made out. Petitioner has got clean antecedent.



5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (POCSO), Darbhanga in connection with Kamtaul P.S. Case No. 197 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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