

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43134 of 2022

Arising Out of PS. Case No.-72 Year-2022 Thana- MAHILA P.S. District- Bhagalpur

FARDIN RAJ Son of Md. Firoj @ Md. Babban @ Babban Resident of
Village - Khirabandh, Police Station- Bypass (Jagdishpur), District -
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Najmul Hoda Md. Najmul Hodda
For the Opposite Party/s :		Mr. Murli Dhar
For the Informant		Mr. Swapnil kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 27-04-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 376, 506 of the Indian
Penal Code and sections 4 & 6 POCSO Act.

Prosecution case relates to establishing physical
relation with minor daughter of the informant.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case.
Statement of the victim girl was recorded u/s 164 Cr.P.C. in
which she has stated that petitioner tried to commit rape on
motorcycle, which is highly unbelievable. Medical report also



suggests that there is no sign of physical relationship. After prevailing good sense, both parties have entered into compromise and compromise petition is annexed as Annexure-2 to the petition.

Learned APP appearing for the State and learned counsel appearing for the informant have opposed the prayer of Bail and submitted that there is direct allegation of threatening for viral the obscene video of the victim girl. She is a minor and petitioner tried to outrage her modesty on the alleged date of occurrence.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 6th A.D.J., Bhagalpur-cum-Special Judge (POCSO) Court, Bhagalpur in connection with Mahila P.S. Case No. 72 of 2022.

(Sunil Kumar Panwar, J)

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