

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52874 of 2023

Arising Out of PS. Case No.-461 Year-2023 Thana- ALAMGANJ District- Patna

Md. Imran Son Of Md. Kamal Resident Of Mohalla - Phulwari - Naya Tola,
P.S. - Phulwari Sharif, District - Patna

... .. Petitioner/S

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Rafi Ahmad

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 11-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 376, of the Indian Penal Code and Sections 4, 8 of the POCSO Act.

3. As per FIR, the informant alleged that while she was returning home from coaching in the meantime, the petitioner came and induced her and took her to his house and committed rape. Thereafter, the petitioner forcibly solemnized marriage with her and continued to rape her.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this



present case merely on the basis of suspicion. As per statement of the victim recorded under Sections 164 of the Cr.P.C., wherein she has stated that the the petitioner has not committed any with her and she has lodged this case due to previous anger. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 28.05.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Alamganj P.S. Case No. 461 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VII-cum Exclusive Special Court POCSO Act, Patna.

(Sunil Kumar Panwar, J)

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