

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63786 of 2023

Arising Out of PS. Case No.-96 Year-2018 Thana- INDUSTRIAL District- Bhagalpur

Md Anwar Alam @ Anwar Alam S/O Late Mahboob Ali R/O Village-Mojahida, Ps. Parbatta, Dist. Khagaria The Then Superintendent Boy 039 Children Home Bhagalpur Presently Resides At House Of Samimuddin House No. 98, Bari Khanjarpur, Momin Lane, Ps. Kotwali, Dist. Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Central Bureau Of Investigation Special Crime Branch, Patna, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Swapnil Kumar Singh, Adv.
For the State	:	Mr. Uma Shankar Prasad, APP
For the C.B.I.	:	Ms. Nivedita Nirvikar, Sr. Adv.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-12-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the C.B.I.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 323, 342, 377, 120B, 201 of the IPC, Sections 6, 9, 10 and 17 of the POCSO Act and Sections 75 and 82 of the J.J. Act.

3. The allegation against the petitioner is of harassing and cruelty upon the children when he was posted as the Superintendent of Children Home, Bhagalpur N.G.O. run by Rupam Pragati Samaj Samittee.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has



committed no offence. The petitioner is a young and unemployed boy and has no experience of the work culture of children home and first time the petitioner was recruited by the Secretary of N.G.O. Rupam Pragati Samaj Sammittee and the tenure of the petitioner was from 29.01.2018 to 13.02.2018, thereafter due to difference with the Secretary of the society, he resign the job but due to stay short period at the society the petitioner has also been made accused in this case. He submitted that there was allegation comes in course of investigation that the petitioner used to assault children by elbow but no T.I. Parade was conducted in course of the investigation. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 02.11.2018 passed in Cr. Misc. No. 64002 of 2018. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 12.07.2023.

5. The application for bail is opposed by learned APP for the State and learned counsel for the C.B.I.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Court concerned in connection with Industrial P.S. Case No. 96 of 2018.

(Sunil Kumar Panwar, J)

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