

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65602 of 2022**

Arising Out of PS. Case No.-599 Year-2022 Thana- SIKARPUR District- West Champaran

MD. SHEIKH ALAM @ BHUWAR SHEIKH @ MAJRI ALAM SHEKH @  
SHEKH ALAM Son of Shekh Jauwad @ Sk. Jauwar Resident of Village-  
Pokhariya, Pokhariya, P.S.- Shikarpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Aditya Nath Jha

For the Opposite Party/s : Mr.Kalyan Shankar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

4      17-04-2023      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for bail in a case registered  
for the offence punishable under sections 376, 313, 201 of the  
Indian Penal Code and sections 4/12 of the POCSO Act.

As per allegation in the FIR, petitioner has raped the  
16 years old informant and since then he was in habit of  
establishing physical relationship resulting into her pregnancy. It  
is further alleged that petitioner has assured the informant to  
marry but he administered medicine to terminate her pregnancy  
and later on denied marriage.

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



Medical report, no sign of abortion was found. There is delay of about three months in lodging the FIR without any plausible reason. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 26.7.2022.

The application for bail is opposed by learned APP for the State.

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 ADJ VII-cum-Special Judge (POCSO), West Champaran at Bettiah in connection with Shikarpur P.S. Case No. 599 of 2022.

**(Sunil Kumar Panwar, J)**

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