

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71264 of 2022

Arising Out of PS. Case No.-128 Year-2022 Thana- NAGARNAUSA District- Nalanda

BINDESHWAR BIND Son of Khuddu Bind R/o Village - Mahmadpur, P.S.-
Nagarnausa, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad
For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-03-2023 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 341, 323, 354B, 379, 506/34 of the Indian Penal Code and section 9 of POCSO Act.

As per allegation in the FIR, when the daughter of the informant was alone at her home, petitioner tried to outrage her modesty. When she raised alarm, her brother and father came there to rescue the victim girl, they were also beaten up by the petitioner and co-accused Rudal Bind.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. There is delay of two days in lodging the FIR without any plausible reason. During trial, the victim girl has was recorded u/s 164



Cr.P.C., wherein she has not made allegation of rape against the petitioner. It is simply a case of mar-pit in which members of both parties have received simple injuries. Petitioner is languishing in judicial custody since 21.08.2022.

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 7th Additional District and Sessions Judge-cum-Spl. POCSO Judge, Biharsharif, Nalanda in connection with Nagarnausa P.S. Case No. 128 of 2022.

(Sunil Kumar Panwar, J)

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