

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73306 of 2022

Arising Out of PS. Case No.-165 Year-2022 Thana- KHAJEKALA District- Patna

MD NAIYAR SON OF LATE MD HAMID ALAM R/O MOHALLA-
MOGHALPURA CHHOTI BAZAR, P.S.- KHAJEKALAN, DISTRICT-
PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Adv.

For the Opposite Party/s : Mr.H.A.Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Khajekalan P.S. Case No.165/22, registered for the offence
punishable u/s 341/323/354/354(A)/354(B)/504/506/34 of the
IPC, section 3/ 7/ 8/12 of the POCSO Act.

Allegation against the petitioner is of trying to molest the
informant.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place.
There is no specific overt act against the petitioner and the



parties have compromised. Petitioner has twelve criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that the statement of the victim was recorded u/s 164 Cr.P.C., in which, she has supported the prosecution case.

Having regard to the facts and circumstances of the case and considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of bail on his behalf is hereby rejected.

This application is accordingly dismissed.

However, petitioner is at liberty to surrender before the learned court below within a period of six weeks from today and seek regular bail and the learned court below would pass order, in accordance with law, considering this fact that there is a compromise between the parties.

(Anjani Kumar Sharan, J)

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