

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1853 of 2023

Arising Out of PS. Case No.-806 Year-2022 Thana- ALAMGANJ District- Patna

=====

MOHAMMAD TIPU @ MOHAMMAD IMTIYAZ AHMAD @ IMTIYAZ
AHMAD Son of Rafi Ahmad @ Rafik Ahmad @ Md. Rafik Miyan Resident
of Mohalla- Fazal colony, P.S- Alamganj, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha, Adv.

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 354, 354(B), 324, 506
of IPC and sections 8, 12 of POCSO Act.

The allegation against the petitioner is that he torn the
cloths of informant after pressing her mouth, with an intention
to outrage her modesty.

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. No such occurrence, in
the manner as alleged, has ever taken place. The alleged
occurrence is said to have taken place on 11.10.2022 but the



F.I.R. was lodged on 16.10.2022 i.e. after a delay of five days without giving any plausible explanation regarding the delay. Before filing of this F.I.R., petitioner has filed a complaint petition before the A.C.J.M., Patna City (Annexure-2) regarding his apprehension of false implication in the present case. It is further submitted that reason behind lodging of this case is that amount of Rs.53,000/- was taken from the petitioner as loan by the informant's father and on demand, he implicated the petitioner in this case. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Alamganj P.S. Case No.806/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

