

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60368 of 2023

Arising Out of PS. Case No.-70 Year-2022 Thana- BELSAND District- Sitamarhi

Mohd. Jahid @ Md. Zahid Son Of Late Rudal Resident Of Village -
Pandarahi, P.S. - Belsund, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv
		Mr. Ranjeet Kumar Mishra
For the Opposite Party/s :		Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 22-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 376/34 of the Indian Penal Code and Section 4 of the POCSO Act.

It is a case of commission of rape upon the informant by the petitioner.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. For the alleged occurrence



of 02.06.2022, the F.I.R was registered on 06.06.2022. The informant wanted to marry with the petitioner and when the petitioner denied to perform marriage, this false case has been registered against the petitioner. The victim was medically examined and the doctor has assessed her age between 18-20 years, hence, the provision under the POCSO Act would not be attracted against the petitioner. The petitioner is languishing in custody since 08.06.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Sessions



Judge-VI-cum-Special Judge, POCSO Act, Sitamarhi in
connection with Belsand P.S. Case No. 70 of 2022.

(Sunil Kumar Panwar, J)

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