

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59624 of 2023

Arising Out of PS. Case No.-138 Year-2023 Thana- KASBA District- Purnia

Abdul Haque @ Abdul Hak Son Of Md. Belal R/O- Banaili Ps- Kasba Dist-
Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 354(B) of the Indian Penal Code and Section 8 of the POCSO Act.

3. Petitioner is said to have tried to commit rape with 9 years old daughter of the informant by taking her in maize field.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the victim has recorded her statement under Section 164 of the Cr.P.C. in which she has not whispered the name of the petitioner. As per FIR, one namely Manish Kumar has seen the occurrence while during investigation, he has stated that he has seen a person fleeing on motorcycle and



he could not identify that person. He submits that the medical report has not supported the prosecution case. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Kasba P.S. Case No. 138 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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