

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83460 of 2023

Arising Out of PS. Case No.-87 Year-2022 Thana- KANGLI District- West Champaran

SHAHZAD ALAM SON OF NAIMUDDIN @ MD. NAIMUDDIN R/O
VILLAGE- KATHIYA MATHIYA, TOLA POKHARIYA, P.S.- KANGLI,
DIST.- WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Pramod Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2.The petitioner apprehends his arrest in connection
with Kangli P.S. Case No. 87 of 2022, registered for the
offences punishable under Sections 323, 341, 379, 376, 511 of
the Indian Penal Code and Section 4/8 POCSO Act.

3.As per allegation, when the complainant was lifting
cow dung at her *darwaja*, finding her alone, the petitioner came
to her and tried to outrage her modesty. When complainant's
elder sister came to rescue her, the petitioner assaulted her with
a piece of bamboo as a result of which her leg got fractured. The
accused persons assaulted the family members of the
complainant.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. After investigation, the present case was found to be false and the investigating authorities have mentioned that this case has been filed by the prosecution side to save their skin from the case earlier lodged by the defense side. The case of defense side was lodged three months prior to the present complaint case.

5. Considering the above-mentioned facts and circumstances and especially the clean antecedent of the petitioner, let him, in the event of his arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional District & Sessions Judge-cum-Special Judge (POCSO), Bettiah, West Champaran in connection with Kangli P.S. Case No. 87 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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