

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72920 of 2024

Arising Out of PS. Case No.-151 Year-2024 Thana- BASOPATTI District- Madhubani

Md. Sultan Son of Md. Sakor @ Md. Sakoor Resident of Village - Patauna,
P.S. - Basopatti, District - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jibachh Mandal Son of Late Ram Autar Mandal Resident of Village -
Kodarkatta, P.S. - Basopatti, District - Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 17-02-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 64 and 62 of the Bhartiya Nyay Sanhita and Sections 8 and 12 of the POCSO Act.

3. The case of the prosecution is that the minor daughter of the informant has gone to bring her cattle when she did not return for a considerable moment, the informant went to see her when he went towards Kodarkatta-Damu Road he found that one boy was using force against her daughter. When the informant raised alarm villagers gathered there and caught the



boy. He was identified as Md. Sultan (petitioner). After this a call was made to 112 police arrived after this the informant went to his house with his daughter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. During course of investigation, the victim has given her statement recorded under Sections 161 and 164 of the Cr.P.C. wherein she stated that the boy (petitioner) committed rape with her and when she has raised alarm, the boy was caught by the villagers and her father. From perusal of the medical report of the victim, doctor has opined that according to present physical and pathological examination, no medical evidence of sexual assault found at the time of examination. Age of the victim is about 20 years as per the doctor. There is development in the version of the prosecution starting from the FIR to the statement of the victim. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 14.08.2024.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.



6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Basopatti P.S. Case No. 151 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Madhubani.

(Ashok Kumar Pandey, J)

Shubham/-

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

