

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89421 of 2024

Arising Out of PS. Case No.-168 Year-2024 Thana- AURAI District- Muzaffarpur

Md. Quamre Alam @ Kamo @ Md. Kamare Alam S/o Late Md. Moqueem
R/o Village- Mishrauliya, P.S.- Aurai, District- Muzaffarpur

... .. Petitioner

Versus

1. The State of Bihar
2. Uma Shankar Sah S/o RAm Ashish Sah R/o Village- Mishrauliya, P.S.-
Aurai, District- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Saobiya Mushtaque, Advocate
For the Opposite Party/s :	Mr.Akshay Lal Pandit, A.P.P.
	Mr. SK Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 29-04-2025 Heard learned counsel for the petitioner, the State and
opposite party no.2.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 126(2), 115(2)/75 of the Bharatiya Nyaya Sanhita, 2023 and sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, while the informant's 17 years old niece went to the shop of the petitioner to purchase some articles, seeing her alone, petitioner caught her body and tried to outrage her modesty.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner is 65 years old and his shop is attached to his residential house where he lives with wife, son, daughters, daughter-in-law etc. therefore it is improbable to commit such indecent act during broad day light at his house. Petitioner is a dealer and runs a fair price shop and he has



falsely been implicated by so-called victim’s family as he refused to lend, ration to them. Besides this, statements of victim recorded under sections 180 and 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 are contradictory to each other. Petitioner claims clean antecedent.

5. Learned counsel for the State as well as the opposite party no.2 oppose the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge POCSO I, Muzaffarpur in Aurai Police Station Case No. 168 of 2024, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

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(Prabhat Kumar Singh, J)

