

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28277 of 2015

Arising Out of PS.Case No. -7 Year- 2015 Thana -BIRAUL District- DARBHANGA

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Md. Irfan son of Md. Ayub @ Ayub Resident of Village - Naudega, Police
Station - Biraul, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mohammad Sufyan, Adv.

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 28-07-2015 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest for the
offences alleged under Sections 363, 366A/34 of the Indian
Penal Code registered in connection with Biraul P.S. Case No.
07 of 2015.

3. It is submitted that the petitioner has been
falsely implicated which is evident from the different versions
in the fardbeyan of the informant and the deposition of the so-
called victim girl herself. It is submitted that the age of the
victim is assessed as 17 to 18 years who have fled away with
co-accused Vikash but made a cover up story in her
deposition. Similarly situated co-accused Hizbul Rahman has
since been directed to be released on bail.

4. Having regard to the entirety of the facts and

circumstances of the case, in the event of the petitioner’s arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Biraul at Benipur, Darbhanga in connection with Biraul P.S. Case No. 07 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions :

(i) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioner shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/-

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