

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49537 of 2014

Arising Out of PS.Case No. -79 Year- 2014 Thana -GAUNAHA District-
WESTCHAMPARAN(BETTIAH)

=====

Sk. Zimdar Son of Sk. Mohammad Shaheed, Resident of Village - Bastha,
Police Station - Mainatand, District - West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : . Dr.M.K.Gautam, APP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 03-03-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 366(A), 370(A), 372, 373 of the Indian Penal Code as also under Sections 7 & 11 of The Protection of Children from Sexual Offences Act, 2012 and Section 5 of The Immoral Traffic (Prevention) Act, 1956.

Taking into consideration the fact that the F.I.R., vide Annexure-1, was admittedly lodged after five years of the alleged date of occurrence wherein the petitioner is not named as an accused and further taking into consideration that he is in judicial custody since 26.07.2014 and he is stated to be an old person aged about 70 years, his prayer for bail is allowed. The petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned 1st Additional District and Sessions Judge-cum- Special Judge, West Champaran at Bettiah in connection with Gaunaha P.S. Case No. 79 of 2014, subject to the conditions that:

(A) One of the bailors must be government servant or

(B)

close family member of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner, if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and

(C)

the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

BTiwary/-

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