

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44041 of 2016**

Arising Out of PS.Case No. -95 Year- 2016 Thana -SHEOHAR District- SHEOHAR

1. Md. Mumtaz Khan @ Mumtaz Khan, Son of Hasan Imam Khan,  
Resident of village- Simraha, P.S.- Rajepur, District- East Champaran

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar, Adv.

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

**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**ORAL ORDER**

2 04-10-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Md. Mumtaz Khan @ Mumtaz Khan, in connection with Sheohar P.S. Case No.95 of 2016, under Sections 363, 366(A)/376 of the Indian Penal Code and 4 of the POCSO Act.

Perused the above application and materials on record.

Heard Mr. Ashok Kumar, learned Counsel for the petitioner, and Mr. Mukesh Kumar Singh, learned Additional Public Prosecutor, appearing on behalf of the State.



In view of the fact that the accused above-named has been in custody since 14.06.2016 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and perusal of the materials available does not reveal such incriminating materials, which would warrant further detention of the accused-petitioner in custody, and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioner's liberty on bail would adversely affect his trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties, each of the like amount, subject to the satisfaction of the learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, POCSO Act, Sheohar, in connection with Sheohar P.S. Case No.95 of 2016.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court

below, as may be directed.

In terms of the above observations and directions,  
this bail application shall stand disposed of.

**(I.A. Ansari, CJ)**

K.C.jha/-

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