

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47761 of 2016

Arising Out of PS.Case No. -36 Year- 2016 Thana -BHARGAWAN District- ARRARIA

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Md. Nazam @ Md. Nizam S/o Late Ramjan, Resident of Village- Baiju Patti, P.S.- Bhargama, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Sri Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 14-12-2016 Heard the counsel for the petitioner and Mr. Ashok Kumar, APP for the State.

The petitioner apprehending his arrest in Bhargama P.S. Case No. 36 of 2016, registered under sections 370,372 & 373 IPC including section 5 of the Immoral Trafficking Act, has prayed for grant of anticipatory bail.

The victim lodged the case that owing to poorness/ poverty of the family, she was married against her will with one Shri Pal by the parents. She suspected that her husband would force her to indulge into flesh trade.

The contention of the petitioner is that merely on suspicion the petitioner has been sought to be arrested in this case. Although no witness including the parents or the uncle



of the informant has named or suspected the petitioner as an accused in the crime. The supervisory police officer has, however, suspected the hands of the petitioner in the alleged crime who is linked to one group.

Mr. Kumar learned APP, on going through the case diary, has not disputed the said contention of the petitioner. It is pointed out that the supervisory police officer as well as the senior police officer have suspected the hands of the petitioner in the crime as he was associated with the group involved in such kind of crime. The petitioner has no criminal antecedents. The parents of the informant cited as accuseds have since been granted anticipatory bail (Annexure-2).

Considering the above, let the petitioner named above, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned ACJM-II, Araria in Bhargama P.S. Case No. 36 of 2016 on condition that one of the bailors of the petitioner shall be his own/close family member. In the event of framing of charge, the petitioner shall appear in person on each date fixed at the trial. In case of default in



doing so on two dates in a row, the trial court shall have liberty to cancel his bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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