

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34310 of 2017

Arising Out of PS.Case No. -43 Year- 2017 Thana -BHAPATIYAHU District- SUPAUL

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Md. Jabbar, Son of Late Md. Dilawar, resident of Village- Gadhiya Ward
No. 9, Police Station- Bhaptiyahi, District- Supaul.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
POCSO No. 09 of 2017, arising out of Bhaptiyahi P.S.Case No. 43
of 2017, registered for the offences punishable under Sections 341,
323, 354B of the Indian Penal Code and 8 of POCSO Act.

Allegation against the petitioner is of taking away the
daughter of the informant, who is aged 8 years, with bad intention.

It has been submitted on behalf of the petitioner that
in the FIR it has not been mentioned as to what purpose the girl
was taken by the petitioner, rather he has been implicated in this
case due to village politics and petitioner is in custody for more
than two months having clean antecedent.

Heard learned APP also.

Having heard both sides and considering the aforesaid
facts and circumstances, let the petitioner, named above, be
released on bail on furnishing bail bond of Rs.25,000/- (Rupees



twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-I (Special Judge), Supaul, in connection with POCSO No. 09 of 2017, arising out of Bhaptiyahi P.S.Case No. 43 of 2017, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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