

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6307 of 2017

Arising Out of PS.Case No. -106 Year- 2016 Thana -BAUNSI District- ARRARIA

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Md. Tabarak @ Tabark @ Banti son of Noor Mohammad, R/o village-
Mirzapur,- Nandanpur, P.S.- Bousi, District- Araria.... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Smt. Asha Devi

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 16-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Bounsi P.S.
Case No. 106 of 2016 registered for the offences punishable under
Sections 341, 354 (A), 354 (C), 326 (B), 307, 509, 504, 506 of
the Indian Penal Code.

Allegedly, the petitioner took photograph of minor
daughter of the informant aged about 14 years and further gave a
mobile to her and started talking in filthy languages then matter
was reported and the petitioner was asked not to do such acts,
thereafter, the petitioner caused threats in various ways. Further
on 21.09.2016 the petitioner tried to kidnap her and attacked with
acid bottle but she succeeded to save herself.

Submission is of false implication and that the petitioner
without any fault is suffering in custody since 26.09.2016, no



injury was caused to the daughter of the informant or anyone. The FIR has been lodged after much delay and as such the petitioner deserves sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Mithilesh Kumar, Sub Judge VII-cum-A.C.J.M. VI, Araria in connection with Baunsi P.S. Case No. 106 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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