

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13255 of 2018

Arising Out of PS.Case No. -126 Year- 2016 Thana -KISHUNPUR District- SUPAUL

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Md. Jawed @ Jabir Sah @ Jabir S/o Md. Nevi Sah, R/o Village- Salepur
Maheshpur, P.S.- Falka, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Sri Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

3 12-04-2018

Heard learned counsel for the petitioner and learned
APP for the State.

This is a case registered under Sections 366(A)/34 of
the Indian Penal Code.

Petitioner's counsel submits that petitioner having no
criminal antecedent prior to the instant case has falsely been
implicated in this case. He submits that as per the allegations made
in the FIR the allegations under POSCO Act is not made out as the
FIR itself discloses the age of the victim to be 18 years. He further
submits that falsity of the allegation would be evident from the
report received in this case pursuant to the earlier order that
charges have been framed on 12.02.2016 but till date no single
prosecution witnesses have been examined in this case and the
petitioner is in custody in connection with this case since
20.06.2016.



In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **Additional District Judge 1st, Supaul** in **POCSO Case No. 36 of 2016** arising out of **Kishanpur P.S. Case No. 126 of 2016** subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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