

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38395 of 2018

Arising Out of PS. Case No.-46 Year-2016 Thana- BALIGAON District- Vaishali

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Sharfuddin Son of Santar @ Mahifuddin Resident of Village - Tenda, P.S. -
Baligaon, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 04-07-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner, already in custody since 19.05.2018, seeks
bail in connection with Baligaon P.S. Case No.46 of 2016
registered under Sections 366(A), 363, 376 and 379 of the
Indian Penal Code as well as under Sections 6, 8 and 10 of the
POCSO Act.

Allegation in brief is that the prosecutrix was
kidnapped by one Md. Wasim with the help of others including
the petitioner and he brought her to Punjab and also established
physical relationship.

Learned counsel for the petitioner submits that in fact
it was a case of elopement and the prosecutrix eloped with Md.
Wasim, returned back after a month and then implicated others



including the petitioner also and other co-accused, namely, Md. Firoz, Md. Nasim, Md. Rizwan, Md. Pappu and Md. Taushik have been admitted to anticipatory bail vide orders dated 01.12.2016 and 16.05.2017 passed in Cr. Misc. Nos.44422 of 2016 and 17060 of 2017 respectively and the girl is major as per the medical report.

Having considered the aforesaid facts and circumstances, as the case of the petitioner is on similar footing to those who have been admitted to bail, petitioner Sharfuddin is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-XII, Vaishali in connection with Baligaon P.S. Case No.46 of 2016.

(Arun Kumar, J)

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