

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66997 of 2018

Arising Out of PS. Case No.-203 Year-2017 Thana- GOVINDGANJ District- East
Champaran

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Khursheed Dewan @ Khurshid Dewan @ Khursede Dewan Son of Anwar
Devan Resident of Village-Hardia, Police Station -Govindganj (Areraj
O.P.), Distt.-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7
For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 26-11-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Govindganj (Areraj O.P.)**

Police Station Case No. 203 of 2017 registered for the offence
punishable under Sections 366A, 363/34 of the Indian Penal
Code and Section 6 of POCSO Act.

Informant in his written report has stated that his
daughter was kidnapped by petitioner along with other FIR
named accused. It has further been alleged that she might be
killed by the petitioner and others.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case.
Learned counsel for the petitioner submits that there is delay of
five days in lodging the FIR. It has been further submitted that



the victim was medically examined and the Doctor assessed her age to be 18-19 years and Section 6 of the POCSO Act does not apply in the present case. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 17.02.2018 in Criminal Miscellaneous No. 3311 of 2018. Petitioner is in custody since 27.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional Sessions Judge cum Special Judge, Motihari, East Champaran**, in connection with **Govindganj (Areraj O.P.) Police Station Case No. 203 of 2017**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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