

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6684 of 2018

Arising Out of PS.Case No. -194 Year- 2016 Thana -KOCHADHAMAN District- KISANGANJ

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1. Rajjaque, S/o Sikandar Ali, R/o Village- Dhum Nagar, P.S.-
Kochadhaman, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, APP

For the Opposite Party/s : Mr. Khurshid Anwar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 06-02-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Kochadhaman**
P.S. Case No.194 of 2016 instituted for the offence under
Section(s) 363, 366-A, 120-34 Indian Penal Code and Section 6,
8, 12, 18 of the POCSO Act.

Counsel for the petitioner has submitted that he is
not named in the First Information Report. Name of the petitioner
has been taken by the victim girl in her statement recorded under
Section(s) 164 Cr. P.C. in which she has stated that petitioner had
taken her on car. The police after investigation submitted final
form against the petitioner, but the learned Magistrate after
differing with the final form has taken cognizance against the
petitioner and others. It has further been submitted that co-
accused, Jamshed @ Md. Jamshed, has been granted anticipatory



bail by this Court by order dated 04.12.2017 passed in Cr. Misc. No.47935 of 2017.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Kochadhaman P.S. Case No.194 of 2016**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Special Judge, POCSO, Kishanganj**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if 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.

(Sanjay Priya, J)

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