

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51394 of 2018

Arising Out of PS.Case No. -175 Year- 2018 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN (MOTIHARI)

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1. Sadre Alam @ Sadare Alam S/o Md. Hakim Alam, R/o Vill.- Chikpatti,
P.S.- Town- Motihari, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-09-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Town P.S.Case no.175 of 2018, registered for offences punishable under Section 8 of POCSO Act and Sections 448, 323, 337, 325/34 of the Indian Penal Code.

Allegation against the petitioner is that he tried to get the daughter of the informant inside the house and other allegations are against the co-accused persons.

Submission of the learned counsel for the petitioner is that there is land dispute between the parties and for that the present case has been lodged and now they have settled the dispute outside the court.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari in connection with Motihari Town P.S.Case No.175 of 2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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