

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25049 of 2018

Arising Out of PS.Case No. -332 Year- 2016 Thana -CHHATAPUR District- SUPAUL

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MD. ISLAM MIAN @ MD. ISLAM @ ISLAM, Son of Late Natay Mian,
Resident of Village- Madhopur, P.S.- Chhatapur, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kuldeep Kumar, Advocate
Mr. Amar Nath Yadav, Advocate
For the Opposite Party/s : Smt. Suman Kumari Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 17-05-2018 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 04.12.2017 in connection with Chhatapur P.S. Case No.332 of 2016 registered for the offence under Sections 365, 366A and 120-B, 376 of the Indian Penal Code and Section 4/6 of the POCSO Act.

Learned counsel for the petitioner submits that though the petitioner is named in the F.I.R., the victim girl in her statement under Section 164 Cr.P.C. has made a passing reference to the petitioner and no specific role has been assigned to him. It is further submitted that the allegation of taking the victim girl to Delhi is against four other co-accused persons and not against the petitioner.

Taking into consideration such facts and circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of



learned Additional Chief Judicial Magistrate-IV, Supaul, in connection with Chhatapur P.S. Case No.332 of 2016, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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