

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32144 of 2018

Arising Out of PS. Case No.-166 Year-2017 Thana- SAHARSA District- Saharsa

MD. SIKANDER @ MD. SIKANDAR HUSSAIN Son of Md. Hussain
Resident of Village- Gandhi Path, Near Masjid , Ward No. 8, P.S.+District-
Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Pramod Mishra, Adv.

For the Opposite Party : Mr. Pawan Kumar Chaurasiya, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 14-08-2018 Heard the learned counsel for the petitioner and
learned counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Sadar (Saharsa) P.S. Case No. 166 of 2017 registered for the offences punishable under Sections 366, 366(A) and 34 of the Indian Penal Code and Sections 4/6/10 POCSO Act and Sections 23/26 Juvenile Justice Act, 2000.

Informant is the father of victim, who in his written complaint has stated that on 23.02.2017 at about 7:00 P.M. petitioner and other co-accused entered into his house and forcibly took his daughter Priya Kumari and on such allegation FIR was registered against the petitioner and other family members. The girl was recovered and she has made her statement under Section 164 of Cr.P.C. in which she has supported the prosecution story. The girl was also subjected to medical examination in which the age of girl has been



ascertained as more than 18 years and no sign of any bodily injuries or sexual assault was found on her person. The report also says that no spermatozoa dead or alive was found.

It has been submitted that petitioner is in custody since 07.03.2017.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st-cum-Special Judge, Saharsa in connection with Sadar (Saharsa) P.S. Case No. 166 of 2017 with a condition that petitioner shall co-operate in the trial and shall be present on each and every date fixed by the Court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(S. Kumar, J.)

Rajiv/manoj

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