

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72622 of 2018

Arising Out of PS. Case No.-590 Year-2018 Thana- SIWAN CITY District- Siwan

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Pappu Mishkar @ Imteyaz Ahmad Son of Mumtaz Mian @ Mumtaz Misukar,
resident of Makhdoom Sarai, Mishkar Toli, Police Station- Sarai O.P.,
District- Siwn.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manohar Prasad Singh

For the Opposite Party/s : Mr.Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 20-12-2018 Heard learned counsel for the parties.

Petitioner seeks bail in Siwan Town P.S. Case No.590
of 2018 registered for the offence punishable under Sections
363(A), 366(A), 354(D), 34 of the Indian Penal Code and under
Section 4/8 of POCSO Act, 2012.

It is alleged in the written report that minor daughter of
the informant aged about 14 years had disappeared from the
house on 18.09.2018 and he suspected the hands of Rehan Asik
and Vikky Kumar because they used to call on her mobile
phone.

Learned counsel for the petitioner has submitted that
petitioner is not named in the F.I.R. and the victim girl whose
statement has been recorded under Section 164 Cr.P.C., has not



named the petitioner in any way. The petitioner has been implicated in this because he is father of accused Rehan Asik. Similarly placed co-accused Vicky Kumar has already been granted bail by a co-ordinate bench of this court vide order dated 03.12.2018 passed in Criminal Misc. No. 69979 of 2018.

Counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

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-I-cum-Special court, Siwan in connection with Siwan Town P.S. Case No.590 of 2018, 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

Sanjay/-

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