

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13922 of 2019

Arising Out of PS. Case No.-55 Year-2018 Thana- PARIHAR District- Sitamarhi

MD. RAFIQUE Son of Late Md. Zakir Hussain, Resident of Village -
Rampur Mahuain, P.s.-Parihar, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-03-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Parihar P.S. Case No. 55 of 2018 for the offences punishable
under Sections 363, 366(A) of the Indian Penal Code and
Sections 3/4 of POCSO Act.

The allegation is regarding the accused persons
having forcibly kidnapped the victim girl and thereafter, co-
accused Md. Bechan is said to have taken her to Delhi and
committed rape with her along with his brother-in-law, namely,
Irfan.

The learned counsel for the petitioner submits that a
bare perusal of the statement of the victim girl made under
Section 164 Cr. P.C. would show that the main accused persons
responsible for committing rape with the victim girl are Md.



Bechan and Irfan and as far as the petitioner is concerned, it is alleged that he was instrumental in taking away the victim girl with other person to the station. It is further submitted that the petitioner is having a clean antecedent and is languishing in custody since 08.06.2018.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge (POCSO, Act), Sitamarhi in connection with Parihar P.S. Case No. 55 of 2018.

(Mohit Kumar Shah, J)

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