

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80007 of 2018

Arising Out of PS. Case No.-536 Year-2017 Thana- PURNEA SADAR District- Purnia

Md. Zia son of Barkat Khan Resident of village Kanaila P.S. Sadar Muffasil,
District Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar
For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 21-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Sadar (Muffasil) P.S. Case No. 536 of 2017 giving rise to Special Case No.15/18 registered for the offence punishable under Sections 366(A), 376 of the Indian Penal Code, Sections 3 and 4 of the POCSO Act.

Informant is the father of the victim girl who has alleged that on 05.10.2017, his daughter Alisha Khatoon aged about 18 years went to her school but, thereafter, she did not return and even after much search, she could not be traced. He suspected that the petitioner has taken her daughter with him for the purpose of marriage.

It has been submitted on behalf of the petitioner that



he is innocent and has falsely been implicated in this case as the victim girl herself left her house and suddenly she returned to her house. It has further been submitted that doctor has not found any sign of sexual assault or injury on the girl. Petitioner has no criminal antecedent and he is in custody since 11.09.2018.

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 1st Additional Sessions Judge-cum-Special Judge (POCSO) Act, Purnea in connection with Sadar (Muffasil) P.S. Case No. 536 of 2017 giving rise to Special Case No.15/18, 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/-

U		T	
---	--	---	--

