

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80565 of 2018

Arising Out of PS. Case No.-485 Year-2018 Thana- JOGAPATTI District-
West Champaran

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Sagir Alam, son of Munilal Mian, r/o. Village Nawalpur, P.S. Yogapatti,
District West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 24-01-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 363, 366(A)/34 IPC and under Section 8 of the POCSO Act registered in connection with Yogapatti (Nawalpur) P.S. Case No. 485 of 2018.

3. It is submitted that the petitioner has been falsely implicated as evident from the deposition of the victim girl recorded under Section 164 Cr.P.C. wherein she has categorically stated that it was the petitioner's son Ramzan Alam who had taken her away. The petitioner is said to have brought to the victim to the police station. It is therefore, submitted that as far as the petitioner is concerned, the ingredients of offence alleged are not made out against him. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-Ist-cum-Special Judge, Bettiah, West Champaran in connection with Yogapatti (Nawalpur) P.S. Case No. 485 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That 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.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

Chandran/-

(Vikash Jain, J)

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