

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30670 of 2019**

Arising Out of PS. Case No.-272 Year-2018 Thana- BAHADURGANJ District- Kishanganj

Azad @ Md. Azad @ Md. Azad Alam Son of Late Md. Alam Resident of
Guna Chourasi, P.S.- Bahadurganj, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 19-07-2019

This is an application for grant of anticipatory bail in connection with Bahadurganj P.S. Case No. 272 of 2018 (Special Case No. 27 of 2018) disclosing offences under Sections 370, 372, 376, 120-B of the Indian Penal Code Sections 3, 4, 5 of Immoral Traffic Act and Sections 4, 6 of POCSO Act.

Allegation as per the prosecution case is that the informant was gone along with one co-accused for purchasing cloth and after purchasing cloth returned home. In the meantime one person came there by Scorpio and said that she will have to do packaging and for the same she will get a handsome income. Then informant took her in a house where she was subjected to rape. it is further alleged that when she asked to leave her, co-accused disclosed that she had purchased her for Rs. One lakh from the co-accused. It is also stated that one day informant went out of house for call of nature and fled where she met a police jeep and stated all story to the police.



Submission of the learned counsel for the petitioner is that informant girl did not stated a single word in Section 164 of Cr.P.C. against the petitioner nor she was put under the guarding of any person. The name of petitioner came in this case on basis of confession of co-accused namely Chand Hussain.

Heard learned A.P.P. who opposed the prayer for bail on the ground of confessional statement of co-accused that he was the person who kept guarding in the house where girl was kept.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, Kishanganj in connection with Bahadurganj P.S. Case No. 272 of 2018 (Special Case No. 27 of 2018) subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Rahul/-

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