

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26001 of 2019

Arising Out of PS. Case No.-239 Year-2018 Thana- CHHAURADANO District- East
Champaran

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SAHJJAD ALAM @ SAJJAD ALAM @ KUCHHI @ KUCHCHI Son of
Soyeb Dewan Resident of Khairwa, P.S.- Chauradano, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Pandey

For the Opposite Party/s : Mr.Raj Kishore Singh

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged
under Sections 363/366A/34 IPC and Section 8 of the POCSO Act
registered in connection with Chhauradano P.S. Case No. 239/2018.

3. It is submitted that the petitioner has been falsely implicated as
evident from the statement of the so-called victim girl recorded under
Section 164 Cr.P.C. wherein she has categorically stated that she had
voluntarily accompanied the petitioner and solemnised marriage with
him. In her deposition the victim girl herself has admitted her age to
be of 21 years and assessed by the learned Court itself. It is therefore,
submitted that the ingredients of Section 366A of IPC are not satisfied.
The petitioner claim clean antecedents.

4. Be that as it may, 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 Ist
Additional Sessions Judge-cum-Special Judge, POCSO Act, East



Champaran, Motihari, in connection with Chhauradano P.S. Case No. 239/2018, 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.

(Vikash Jain, J)

Chandran/-

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