

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27286 of 2019

Arising Out of PS. Case No.-328 Year-2018 Thana- GAYA KOTWALI District- Gaya

MD. MUSLIM S/o Md. Ismail R/o Mohalla- Kathokar Talab Mor Par, Kasab
Tola, Bari Road, P.S.- Kotwali, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shahid Akhtar

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-04-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Kotwali P. S. Case
No.328 of 2018/ POCSO case no. 64 of 2018 instituted for the
offence under Section(s) 377 and 511 of the Indian Penal Code
and Section 8 of the POCSO Act .

Learned counsel for petitioner submits that in the
instant case after framing of charge not a single witness has
been examined. The compromise petition has also been filed on
12.9.2018.

In the written report it is alleged that on the date of
occurrence the petitioner tried to commit unnatural offence with
the informant.

Petitioner is in custody since 3.7. 2018 having clean



antecedent.

Keeping in view the period of custody already spent by petitioner and clean antecedent of petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the A.D.J. Ist cum Spl. Judge, POCSO, Gaya in connection with Kotwali P. S. Case No.328 of 2018/ POCSO case no. 64 of 2018 subject to the following conditions:

(i) Both the bailors shall be the close relative of the petitioner.

(ii) The petitioner shall be present on each and every date fixed by the Court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioner.

(iii) If petitioner tamper with the evidence in the case, prosecution will be at liberty to move for cancellation of bail bond of the petitioner.

(Sanjay Priya, J)

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