

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.40472 of 2019**

Arising Out of PS. Case No.-72 Year-2017 Thana- BAUSI District- Purnia  
=====

SAKIR @ MD. SAKIR, aged 26 years, male, S/o Manzoor R/o village-  
Harerampur, P.S.- Baisi, District- Purnea

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr. Nafisuzzoha, Advocate.

For the Opposite Party: APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

2      03-07-2019

Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends his arrest for the offences  
alleged under Sections 366A of the Indian Penal Code registered  
in connection with Baisi P.S. Case No. 72 of 2017.

3. It is submitted that the petitioner has been falsely  
implicated as evident of the statement of the so-called victim girl  
recorded under Section 164 Cr. P.C. wherein she has categorically  
stated that she had accompanied the petitioner and solemnized  
marriage with him. As per certificate of Muslim Marriage dated  
05.05.2017 showing her age to 18 years (Annexure-2). The  
petitioner claims 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 Chief Judicial Magistrate, Purnea in  
connection with Baisi P.S. Case No. 72 of 2017, 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 cooperate 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) That 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)**

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