

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7530 of 2019

Arising Out of PS. Case No.-319 Year-2018 Thana- SARAIYA District- Muzaffarpur

Farid Sai @ Md Farid Sai, Son of Late Habbi Sai, Resident of Village -
Paharpur, P.S.- Sariya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Advocate.
For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-02-2019 Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in **Saraiya P.S. Case No. 319 of 2018**, instituted for the offence under Section(s) 302, 376, 120(B)/34 of the Indian Penal Code and Section 4 of POCSO Act.

Counsel for the petitioner submits that petitioner has been made accused merely on suspicion.

It is alleged in the written report that 10 years old daughter and eight years old son of the informant had gone to field of Lala Thakur for grazing the she goat but they did not return. The informant made search and found dead body of both of them on the bank of river. The informant has raised suspicion against Lala Thakur and his son Vikas Kumar along



with this petitioner of committing alleged occurrence and illegal act with her daughter. It is further alleged that ten days prior to the occurrence, Lala Thakur had assaulted badly the wife of informant because she goat went in his Banana orchard.

In this manner, from the written report it appears that mere suspicion has been raised against the petitioner. There is no specific allegation of overt act against him.

Petitioner is in custody since 28.7.2018 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. 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 learned **1st Additional Sessions Judge cum Special Judge, POCSO, Muzaffarpur,** in connection with **Saraiya P.S. Case No. 319 of 2018**, subject to the condition that both the bailors will be the close relatives of the petitioner.

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(Sanjay Priya, J)

