

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 58393 of 2019

Arising Out of PS. Case No.-86 Year-2018 Thana- DURGAWATI District- Kaimur (Bhabua)

NOOR HASAN SULEMANI @ NOOR HASAN SALMANI, aged about 23
years, Male, Son of Kabir @ Kabir Salmani @ Marahu Salmani Resident of
Village- Darhan, P.S.- Durgawati, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.

For the Opposite Party/s : Mr. Kumar Veerendra Narayan (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 25-09-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with POCSO Reg. No. 12 of 2018, arising out of
Durgawati P.S. Case No. 86 of 2018 registered for the offences
punishable under Sections 366(A)/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner
that Petitioner has earlier moved this Court for bail vide Cr.
Misc. No. 50789 of 2018 which was rejected on 02.11.2018
with a liberty to renew his prayer for bail after completion of
one year in custody. Petitioner is in custody since 24.04.2018.

Allegation against petitioner is of forcibly taking
away daughter of informant who is aged about 17 years.



It has been further submitted on behalf of petitioner that victim girl is major and she went away with petitioner on her own volition. Medical report also does not support prosecution case. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case and the observation made in order dated 02.11.2018 passed in Cr. Misc. No. 50789 of 2018, petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 1st, Kaimur at Bhabua, in connection with POCSO Reg. No. 12 of 2018 arising out of Durgawati P.S. Case No. 86 of 2018 with following conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court and his absence on two consecutive dates without proper and valid reason trial court shall have liberty to cancel his bail bond.
- (3) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will
be at liberty to move for cancellation of bail of the
petitioner.

(S. Kumar, J)

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