

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78115 of 2018

Arising Out of PS. Case No.-61 Year-2018 Thana- MAHILA P.S. District- Kishanganj

Tabrez @ Md. Perwez S/o Md. Ayub , R/o Vill.- Chattar Gachh, P.S.- Pahar Katta , District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Sri Dilip Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 09-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Mahila P.S. Case No. 61/18 registered for the offence punishable under Sections 354(A), 506 of the Indian Penal Code and Section 8 of the POCSO Act.

Informant is the mother-in-law of the petitioner who has alleged that the petitioner is her son-in-law and had taken her daughter Sania who is 9 years old into an orchard and opened her pant which was informed to her by her minor daughter and when she complained to the petitioner, he started abusing her and, thereafter, the present case was instituted in the Mahila Police Station.

It has been submitted on behalf of the petitioner that he is innocent and has been implicated in this case due to misunderstanding. Petitioner has no criminal antecedent and he



is in custody since 29.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional District Sessions Judge 1st-cum-Special Judge, Kishanganj in connection with Mahila P.S. Case No. 61/18, 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

Sanjay/-

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