

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2718 of 2019

Arising Out of PS. Case No.-67 Year-2018 Thana- MALAYPUR District- Jamui

Md. Irshad, son of Md. Gaffar, resident of Village- Malaypur, P.S- Malaypur,
Distt.-Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 23-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Malaypur P.S. Case No.67 of 2018** instituted for the offence under Section(s) 376, 511 Indian Penal Code and Section 8 of the POCSO Act.

Counsel for the petitioner submits that except the statement of informant there is no other evidence on record to prove that attempt was made by this petitioner to commit illegal act with his daughter. Counsel for the petitioner further submits that informant has himself stated in the First Information Report that earlier petitioner had attempted to do illegal act with his wife and this time he has attempted to do illegal act with his daughter. The informant has further stated that for the earlier act committed by the petitioner with his wife he was condemned by



the society, but no proof has been enclosed with the First Information Report for such condemnation.

From the impugned order, it appears that there was no such proof available in the case diary.

Petitioner is in custody since 11.09.2018.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **ADJ 1st, Jamui**, in connection with **Malaypur P.S. Case No.67 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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