

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22401 of 2020

Arising Out of PS. Case No.-345 Year-2019 Thana- SURSAND District- Sitamarhi

MD. ABULAISH @ MD. ASLAM @ LAL BABU Son of Md. Jakir Resident
of Village - Bhagwatipur Ward No.7, P.S.- Surswand, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar
For the Opposite Party/s : Mr.Lallan Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-09-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of lifting of the lockdown in the
State of Bihar.

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

The petitioner seeks bail in a case instituted for the
offences under Sections 363, 366(A), 120(B) of I.P.C. and 4/8 of
POCSO Act.

Allegation is that the petitioner had taken the daughter



of the informant at Mumbai from her house and committed rape on her for 3-4 months.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.02.2020 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. From perusal of the medical examination report, it appears that the victim is aged 20-21 years. From perusal of the F.I.R., it appears that the victim out of love affair had left her house and resided with the petitioner for a petty long time.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, 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 Sri Virendra Pratap Singh, Special Judge, POCSO Act, Sitamarhi in connection with Sursand P.S. case No.345 of 2019.

Narendra/-

(Sudhir Singh, J)

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