

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28430 of 2020

Arising Out of PS. Case No.-167 Year-2020 Thana- SASARAM NAGAR District- Rohtas

MD. ASHIF ALAM @ ASHIQUE ALAM Son of Sagir Alam Resident of
Village - Nooranganj, P.S. - Sasaram (T), Dist.- Rohtas (Sasaram)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-11-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Sasaram (T) P.S. Case No.
167 of 2020 (POCSO Case No. 28 of 2020), registered for the
offence punishable under Sections 290, 34 of the Indian Penal
Code and sections 3(1), 3(2), 4, 5, 6 and 7 of the Immoral
Traffic (Prevention) Act and section 4/16 of the POCSO ACT.

On secret information, raid was conducted on
02.03.2020 at 15.30 hours at Hotel Kaimur Dhaba and six boys
and six girls were found in objectionable condition and they
were apprehended on the spot. Petitioner is one of the
apprehended boys.



It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. Petitioner is student and preparing for competitive exam. Petitioner had gone there simply to have breakfast. Other co-accused namely, Vishal Bahadur Singh (owner of Dhaba), Shyam jee, Rajnish Kumar have been granted bail by this court. Petitioner is in custody since 03.03.2020 having clean antecedent, as stated in para 3 of the petition.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional District and Sessions Judge, Rohtas at Sasaram, in connection with Sasaram (T) P.S. Case No. 167 of 2020 (POCSO Case no. 28 of 2020), subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

