

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72864 of 2019

Arising Out of PS. Case No.-90 Year-2018 Thana- KATIHAR MUFFASIL District- Katihar

Md. Zamil @ Md. Zamil Akhtar, Son of Md. Rahul, Resident of Village -
Makhdumpur, Police Station- Katihar (Muffassil), District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj
For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 05-03-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Katihar
Muffassil P.S. Case No. 90 of 2018, registered under Sections
363 and 366A/34 of the Indian Penal Code and Section 4 of the
POCSO Act.

The accusation is of kidnapping of sister of the
informant, Md. Ali Hasan, by Md. Sonu with the help of Md.
Alam and Md. Zamil (petitioner).

Learned counsel for the petitioner submits that, in
fact, due to love affairs of sister of the informant with Md. Sonu,
sister of the informant left her parental house according to her
own sweet will but petitioner has falsely been implicated in the



present case due to ulterior motive. Further submission is that on the pressure of family members of the informant, sister of the informant disclosed the name of Md. Alam, Md. Sonu and petitioner in the statement recorded under Section 164 Cr.P.C., in which, she also stated that Md. Sonu caught hold her with the help of Md. Alam boarding in the vehicle, in which, this petitioner was found sitting and Md. Sonu committed rape with her. It is further submitted that petitioner has no criminal antecedent and is in custody since 25.09.2019.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ist Additional Sessions Judge-cum-Special Judge, Katihar, in connection with Katihar Muffassil P.S. Case No. 90 of 2018. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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