

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76269 of 2019

Arising Out of PS. Case No.-268 Year-2018 Thana- BHABHUA District- Kaimur (Bhabua)

IRFAN KHAN Son of Rahman Khan Resident of Village - Bhualpur, P.S.-
Chainpur, Distt.- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Ashok Kumar Singh

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

ORAL ORDER

3 27-05-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with
POCSO Tr. No. 19 of 2018, arising out of Bhabua P.S. Case
No. 268 of 2018, registered under Sections 366(A)/34 of the
Indian Penal Code.

The accusation is that daughter of informant
Ranvijay Singh, aged about 15 years moved from house to
purchase the book, but she did not return. In course of search,
no trace was found. The informant raised suspicion against the
petitioner Irfan Khan along with Md. Danish Ali Kha @
Monu, Rashid Kha and Saif Kha having hand in the
kidnapping of his daughter.

Learned counsel for the petitioner submits that it
would appear from case diary that in course of investigation,
the petitioner and the victim were apprehended by the Police as



detailed in paragraph No. 36. Thereafter, statement of the victim was recorded under Section 164 Cr.P.C. in which she has not disclosed the name of petitioner and others and it would also appear from paragraph 42 of the case diary that victim refused for medical examination. After investigation the Police submitted Chargesheet only under Sections 366(A) and 354(B)/34 of the Indian Penal Code. Further submission is that in course of trial, the father of victim filed compromise petition on 26.02.2019, which would appear from Annexure-5, in the Court of Addl. Sessions Judge-I-cum-Special Judge, Kaimur at Bhabhua. The petitioner is in custody since 20.04.2018.

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 learned Addl. Sessions Judge-I-cum-Special Judge, Kaimur at Bhabhua in connection with POCSO Tr. No. 19 of 2018, arising out of Bhabhua P.S. Case No. 268 of 2018. One of the sureties must be parents/close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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