

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17559 of 2021

Arising Out of PS. Case No.-269 Year-2020 Thana- BANMANKHI District- Purnia

Md Shahjad @ Md Sahjad Alam Son of Md. Waris R/O Village- Amari
Kukron, P.S.- Dhamdaha, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar,
For the Opposite Party/s : Mr. Mustaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 04-10-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 376, 323, 353, 346, 367, 368, 370, 370(2), 372, 373 and 120B of the Indian Penal Code, sections 4, 6, 12 and 17 of the POCSO Act, sections 3, 4, 5 and 6 of the I.T. Act and section 79 of the J.J. Act.

As per the prosecution case, on receiving information about flesh trade being carried on in the building, it is stated that a raid was conducted and a number of persons including the petitioner herein were caught as customers.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the F.I.R. are false and incorrect. The petitioner was not caught at the place of



occurrence but was apprehended elsewhere under a misunderstanding. He has not been named by the victim girl in the statement under section 164 Cr.P.C. He has no criminal antecedent and is in custody since 19.10.2020. Charge sheet has been submitted in the case. It is further submitted that the case of the petitioner stands on a similar footing to that of coaccused Tarognath Koyel who has been enlarged on bail by order dated 18.8.2021 passed in Cr. Misc. no.24435 of 2021.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the petitioner having remained in custody for more than 11 months and grant of bail to the similarly situated coaccused, the Court directs the petitioner to be enlarged on bail in connection with Banmankhi P.S. Case no. 269 of 2020 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 Additional District Judge 6th -cum-Special Judge, POCSO Act, Purnea.

(Partha Sarthy, J)

Bibhash

U			
---	--	--	--

