

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24825 of 2021**

Arising Out of PS. Case No.-79 Year-2020 Thana- SIDHWALIYA District- Gopalganj

Tarwez Alam @ Tabrez Alam Son Of Raj Mahamad Miyan @ Rajmahmad
Ansari Resident Of Village-Buchiya Mathiya P.S.- Sidhwaliya Dist-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan

For the Opposite Party/s : Smt. Madhuri Lata A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 26-07-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner seeks bail in Sidhwaliya P.S. Case No.
79 of 2020, registered for the offence under Sections 363 &
366(A) of the Indian Penal Code.

It is submitted on behalf of petitioner that in the
statement recorded under Section 164 of the Cr.P.C., the victim
(daughter of the informant) has stated that she was in love with
this petitioner, so she voluntarily went out with him and
solemnized marriage with him. She further stated that she wants
to live with the petitioner and she has not been forcibly
kidnapped. It is further submitted that as per medical report, the
doctor has assessed the age of victim, as 20 years. Petitioner has



got clean antecedent and is in custody since 16.10.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the period of custody and statement of the victim recorded under Section 164 Cr.P.C., the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned VIth Addl. Sessions Judge cum Special Judge, POCSO, Gopalganj in connection with Sidhwaliya P.S.

Case No. 79 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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