

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31407 of 2020

Arising Out of PS. Case No.-93 Year-2020 Thana- GORAUL District- Vaishali

MOHAMMAD RAJA ALI S/o Shri Md. Sahmad Resident of Village-
Kailakala, P.S.-Goraul (Katahara O.P.), District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Thakur, Advocate
		Mr. Nilesh Kumar, Advocate
For the Opposite Party/s :		Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 15-01-2021 Heard Mr. Ajay Thakur, learned counsel for the
petitioner and Mr. Ram Priya Sharan Singh, learned APP
for the State.

The petitioner seeks bail in connection with
Goraul (Katahara O.P.) P.S. Case No. 93 of 2020 dated
08.03.2020 instituted for the offence under Sections
363, 366(A)/34 of the Indian Penal Code and Sections
8/10 of the POCSO Act.

The name of the petitioner though has been
stated in the FIR but only on the basis of vague
suspicion against many others of having kidnapped the
victim. As the allegation in the FIR goes, the victim girl
went to the market with many other named accused
persons. She had some work in the local college.
However when she did not return, her whereabouts was
enquired from those persons who had accompanied her



to the market. They did not give any satisfactory reply. On the basis of such evasive reply, the informant harbored a suspicion that perhaps his daughter has been kidnapped for immoral purposes.

Apart from naming the petitioner in the last paragraph of the FIR, no other material could be collected against the petitioner for the offence.

The petitioner is in custody since 17.03.2020.

The charge sheet against the petitioner has been submitted and investigation with respect to others is still continuing.

Regard being had to the paucity of materials justifying the accusation against the petitioner and taking into account his period of custody, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge I cum Special Judge POCSO Act, Hajipur in connection with Goraul (Katahara O.P.) P.S. Case No. 93 of 2020.

While saying so, this Court has taken note of the fact that one of the accused persons has been granted anticipatory bail.

(Ashutosh Kumar, J)

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