

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 40645 of 2020

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

MD. SHAHID Son of Jalaluddin Resident of Village- Sujawalpur, P.S.-
Sakara, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Prashant

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 13.03.2020 in connection with Garaul P.S. Case No. 93/2020 registered for the offences punishable under Sections 363/366(A)/34 of the Indian Penal Code and Section 8/10 of the POCSO Act.

As per the prosecution case, daughter of the informant has been kidnapped by the FIR named accused persons and it is suspected that she has been handed over to this petitioner for illegal purpose.

It is submitted on behalf of the petitioner that there is no specific allegation of overt-act against this petitioner, save and except suspicion, there is no other material to connect this



petitioner with the alleged kidnapping of the daughter of the informant. It is further submitted that similarly situated co-accused person has already been granted bail by this Hon'ble Court vide order dated 15.01.2021 passed in Cr. Misc. No. 31407 of 2020. Chargesheet has already been submitted in this case. Petitioner is in custody since 13.03.2020 and bears no criminal antecedent.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Sessions Judge-I-cum Special Judge, Hajipur at Vaishali in connection with Garaul P.S. Case No. 93/2020, subject to following conditions:-

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

(2) If the petitioner tempers 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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