

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4577 of 2021**

Arising Out of PS. Case No.-228 Year-2019 Thana- JOKIHAT District- Araria

MD ASAD @ ASAD @ ARSHAD SON OF LATE ZAINUL RESIDENT OF
VILLAGE-PADAMPUR, WARD NO.-12, P.S-MAHALGAON, DISTT.-
ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 22-06-2021 . In view of sudden surge of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Jokihat PS Case No. 228 of 2019, Sessions Trial No. 15 of 2020 registered under Sections 323, 363, 372 and 120B of the IPC.

Grand-mother of the victim has alleged that she was married four years ago and that her husband, father and step-mother have sold the victim for immoral traffic.

It is submitted by learned Counsel for the petitioner that the alleged victim was a married major lady. The petitioner is a victim of false implication. The FIR has been lodged on 6.6.2019 though she is alleged to be missing since 3.5.2019. The petitioner is



father of the victim girl. Step-mother has been allowed bail in Cr. Misc. No. 71562 of 2019. The petitioner is in custody since 4.9.2019 and has no criminal antecedent.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge, Araria in Jokihat PS Case No. 228 of 2019, Sessions Trial No. 15 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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