

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15412 of 2021

Arising Out of PS. Case No.-257 Year-2020 Thana- VAISHALI District- Vaishali

MD. AFROZ Son of Hakim Mian Resident of Village - Bhagwanpur Ratti,
P.S.- Vaishali, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilesh Sinha

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Vaishali P.S. Case No. 257
of 2020, registered for the offence punishable under Section
366(A) of the Indian Penal Code.

As per the prosecution case, this petitioner along with
three unknown persons kidnapped the minor daughter of
informant and took her away in the auto-rickshaw of petitioner.

Referring to Annexure-4 annexed with supplementary
affidavit, it is submitted that the victim in her deposition during
trial has stated that she was not kidnapped by anybody and had
solemnized marriage with co-accused Vikas Kumar and are
living together as husband and wife. She is major and stated her
age 19 years. It is further submitted that petitioner has got clean



antecedent and is in custody since 09.11.2020 and investigation is complete.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court POCSO-cum-Additional District & Sessions Judge VI, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 257 of 2020, subject to following conditions:-

(i) The 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 and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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