

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5456 of 2022**

Arising Out of PS. Case No.-87 Year-2021 Thana- BALIA BELON District- Katihar

WARIS @ MD. WARIS @ MD. WARIS ALAM Son of Md. Soyeb Alam @
Md. Soyeb Resident of Village- Ratanpur, P.S.- Balia Belone, District-
Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Najeeb Ahmad

For the Opposite Party/s : Mr.Syed Ehteshamuddin

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

2 04-04-2022 Heard learned counsel for the petitioner, the State and the
informant.

The petitioner prays for grant of regular bail in a case
registered for the offence punishable under sections 302 and
other ancillary sections of the Indian Penal Code and section 4
of the POCSO Act.

As per the prosecution case, on 1.8.2021 at about 7.30
pm 14 years old daughter of the informant went missing and
next day her dead body was recovered from the field. It is
alleged that one and a half months ago one Abu Talib came to
the house of the informant and called the victim with bad
intention.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case on the basis of suspicion. Petitioner's name has figured



during course of investigation in confessional statement of said co-accused Md. Talib, who happens to be full brother of the petitioner. Parties are agnate and have long standing land dispute. Save and except confessional statement, no other substantive evidence has been collected during course of investigation to suggest the implication of this petitioner in the present case. Petitioner has claimed clean antecedent and he is in custody since 5.8.2021.

Learned counsel appearing for the State as well as the informant oppose the prayer for bail.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, as named above, 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 Special Judge cum Additional Sessions Judge, VII, Katihar in Balia Belone Police Station Case No. 87 of 2021.

(Prabhat Kumar Singh, J)

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