

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7896 of 2022**

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

SARFARAZ @ SARFRAZ ALAM @ MD. SARFRAZ 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

... .. Opposite Party/s

**Appearance :**

|                    |   |                                                                            |
|--------------------|---|----------------------------------------------------------------------------|
| For the Petitioner | : | Mr. P.N.Shahi, Sr.Adv.<br>Mr.Najeeb Ahmad, Adv.<br>Mr. Brajesh Singh, Adv. |
| For the State      | : | Mr.Shantanu Kumar,APP                                                      |
| For the Informant  | : | Mr.Abdul Mannan Khan, Adv.<br>Mr. Binay Kumar, Adv.                        |

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

2. 11-04-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under sections 302, 201/34 of the Indian Penal Code and Section 4 of the POCSO Act.

As per the prosecution case, on 01.08.2021 at about 7.30 pm, the daughter of the informant, aged about 14 years, went missing and on the next day, her dead-body was recovered from a field. It is alleged that one & half months ago, co-accused Md. Talib came to the house of the informant and called the victim with bad intention.

It is submitted on behalf of petitioner that name of the petitioner has come during course of investigation in the



confessional statement of co-accused Md. Talib, who happens to be full brother of the petitioner. Parties are agnates and there is land dispute between them. Specific allegation has been levelled against co-accused Md. Talib. Petitioner claims clean antecedent and he is in custody since 05.08.2021.

However, learned counsel for the State and the informant vehemently opposed the prayer for bail and submitted that during course of investigation, ample evidence has been collected against this petitioner, which shows that this petitioner has also participated in the alleged crime.

Considering the aforesaid facts and circumstances as well as period of custody, the bail petition of petitioner is allowed. Let the above-named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge cum Additional District & Sessions Judge - VII, Katihar in connection with Balia Belone P.S. Case No. 87 of 2021.

**(Prabhat Kumar Singh, J)**

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