

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19501 of 2022

Arising Out of PS. Case No.-435 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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Faiyaz Khan @ Faiyaz Miyan Son Of Late Abbas Khan R/O Village- Chawni
Ward No.-5, P.S.- Bettiah Town (O.P. Kalibagh), District- West Champaran
Bettiah

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-08-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

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

Petitioner seeks bail in a case registered for the
offence punishable under Sections 366(A) read with 34 of IPC
and 8 of the POCSO Act.

The minor daughter of the informant is alleged to
have been kidnapped by the petitioner and others.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present
case. In fact the petitioner is father of the co-accused Baidullah



Mian. Further submits that in fact the victim girl and son of the petitioner was in love. Further submits that the victim was recovered and her statement under Section 164 Cr.P.C. was recorded in which she has not stated anything about the petitioner and the petitioner is in custody since 02.03.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, 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 Court below where the case is pending in connection with Bettiah Town (Kalibagh O.P.) P.S. Case No.435 of 2019, with the 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 and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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