

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34317 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- JOGBANI District- Araria

Md. Sarfuddin Son Of Badrul Hussain R/O Village- Marwan Khurd, P.S.-
Karka, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Ravish, Advocate
	:	Mr. Sanjay Kumar Sharma, Advocate
	:	Ms. Siddhi Aashana, Advocate
For the Opposite Party/s	:	Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-09-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

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

Petitioner seeks regular bail in connection with Jogbani (Bathnaha) P.S. Case No.21 of 2022 registered for the offences punishable under Sections 365, 366A, 120(B) and 34 of the Indian Penal Code. And Section 8 of the POCSO Act.

As per the allegation, the informant's daughter went to the market and did not return back, upon which the informant went to market to search his daughter and there he got information by some passersby that they had seen a minor girl



being abducted by some persons in a car and then the informant raised suspicion against Md. Sarfaraz and other that they have kidnapped his daughter under conspiracy with malicious intentions.

The main submissions advanced by the learned counsel Mr. Kumar Ravish for the petitioner are that the petitioner has not been named in the FIR, the main allegation is against Md. Sarfaraz and there is no direct or circumstantial evidence against this petitioner and he has been languishing in jail since 01st April, 2022 and the victim has been recovered and has recorded her statement under Section 164 Cr.P.C. and two co-accused persons namely Md. Shahrukh @ Sarukh and Md. Fardeen have been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 31140 of 2022.

Learned APP Mr. Uday Pratap Singh appearing for the State has opposed the bail prayer.

In view of above submissions and mainly taking into account the facts that co-accused persons named above are on bail granted by co-ordinate Bench of this Court vide orders passed in above-mentioned criminal miscellaneous cases and petitioner is not named in the FIR and the informant has made the main allegation against co-accused Md. Sarfaraz Shekh @



Mintu and the victim has been recovered and the petitioner has clean antecedent, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the 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 the concerned Court in connection with Jogbani (Bathnaha) P.S. Case No.21 of 2022.

(Shailendra Singh, J.)

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