

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50802 of 2021

Arising Out of PS. Case No.-468 Year-2019 Thana- ALAMGANJ District- Patna

MD. AMIR QURAISHI @ AMIR Son of Moij Quraishi Resident of
Village/Mohalla- Belwaganj, P.S.- Alamganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Kumar Singh, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-01-2022 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 the learned A.P.P. for the State.

The petitioner seeks bail in connection with Special Case No.122(A) of 2019 arising out of Alamganj P.S. Case No.468 of 2019 registered for the offence under Sections 354(A),504,506 of IPC and Section 8 read with 12 of POCSO Act.

As per written report of the informant on 04.07.2019 at about 1.30 P.M., informant-cum-victim was returning from school then petitioner and co-accused Md. Shahnawaz caught her hand and they have also molested and misbehaved with her. It is further alleged that on Hulla, sister of informant-cum-



victim came out at her house. She was also abused by the petitioner and other co-accused. It has been further alleged that both the accused persons again came at the house of the informant and abused her and co-accused Md. Shahnawaz threatened to take away her when she would be on way of school.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He further submits that the petitioner has falsely been implicated in the present case. He further submits that the informant happens to be next door neighbour of the petitioner and due to some dispute, the present FIR has been instituted against the petitioner and cousin brother. He further submits that co-accused, namely, Md. Shahnawaj Quraishi has been granted bail vide order dated 20.11.2019 in Cr. Misc. No.68926 of 2019 by a Coordinate Bench of this Court. Petitioner is in custody since 06.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

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 Special



Judge, POCSO, Patna in connection with Special Case No.122(A) of 2019 arising out of Alamganj P.S. Case No.468 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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