

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58332 of 2021

Arising Out of PS. Case No.-45 Year-2021 Thana- BALTHAR District- West Champaran

Zakir Miya Son Of Late Salman Miya Resident Of Village - Shekh Tola, P.S.-
Balthat, Distt.- West Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2
For the Opposite Party/s : Mr. Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Balthar P.
S. Case No.45 of 2021, instituted for the offences under
Sections 363, 366(A)/ 34 of the Indian Penal Code and Section
8 of the POCSO Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 18.05.2021, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

The learned counsel for the petitioner further submits
that the informant alleges that on 24.04.2021, the minor
daughter of the informant had gone to attend the call of nature
when she was intercepted by the named accused persons



including the petitioner, who allured the victim and with the help of accused persons, the victim was taken away by Bhutti Ansari for the purposes of marriage.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the case. It is submitted that the victim and Bhutti Ansari were in love and she eloped with Bhutti Ansari and as such, has not supported the prosecution case in her statement under Section 161 of the Cr.P.C.

The learned counsel further submits that it absolutely does not stand to reason that the father and the entire family of Bhutti Ansari would have connived in kidnapping the victim for getting her married with his son. The learned counsel submits that petitioner has been falsely implicated merely because he is father of Bhutti Ansari and the victim has been assessed in between 17-18 years of age.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in this case and taking into consideration the submission made by the learned counsel for the petitioner, the petitioner, above-named, is directed to be released on bail on his



furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.- 7th-cum-Special Judge, POCSO, West Champaran at Bettiah in connection with Balthar P. S. Case No.45 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

