

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60292 of 2021**

Arising Out of PS. Case No.-509 Year-2019 Thana- SAKRA District- Muzaffarpur

MD. MOKHTAR Son of Md. Suleman Resident of Village - Simara
Kishanpura, P.S.- Pear, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 11-04-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual Court proceedings.

Let the defect(s), if any, be removed within a period of
four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 363 and 366(A) of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 30.05.2021, is a person with clean
antecedent and charge-sheet has been submitted.

The informant alleges that Md. Mokhtar (petitioner) was
given contract to construct the house of the informant and on
29.09.2019 when no one was present in the house of the informant,
the petitioner enticed her minor sister, aged about 16 years, and took
her along with him. Further, in the occurrence, the petitioner was
helped by Md. Saukat, Md. Akwar and Rupesh Ram who were doing



the construction work of the petitioner. It is further alleged that petitioner is a married man and have four children.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. The victim has come back and her statement was recorded under Section 164 Cr.P.C. where she has not supported the prosecution case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner but is not able to meet the submissions of the learned counsel for the petitioner after perusing the case diary and the statement of the victim under Section 164 Cr.P.C.

Considering the fact that the petitioner is in custody since 30.05.2021, is a person with clean antecedent and charge-sheet has been submitted and the victim has not supported the prosecution case in her statement under Section 164 Cr.P.C., the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees 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 Sakra P.S. Case No. 509 of 2019.

(Satyavrat Verma, J)

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