

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11713 of 2023

Arising Out of PS. Case No.-298 Year-2022 Thana- SIKTI District- Araria

MD. AMZAD @ AMZAD @ AMZAD ANSARI Son of Nijamuddin @
Nijam Ansari @ Niyam Ansari R/o Village - Aamgachi, Ward No.- 06, P.S.-
Sikti, Distt.- Araria, Bihar, Pin - 854332

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Md. Ataur Rahman, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-05-2023 No one appears on call on behalf of the petitioner
although learned APP for the State is present.

The petitioner is in judicial custody in connection
with Sikti P.S. Case no.298 of 2022 instituted under Section
354(B) of the Indian Penal Code and Sections 8,12 of the
POCSO Act lodged on 07.11.2022 by the informant Budhan
Mandal.

As per the FIR, the informant who is father of the
victim girl stated in his written complaint that on 06/11/2022,
his daughter went out side the house at about 11.00P.M. for
natural call when Amzad caught her and forcibly put cloth in her
mouth and tried to outrage the modesty. He further stated that
some how she taken out the cloth from her mouth and raised
'halla' whereafter the villagers came and caught the boy and



handed him over the police. Accordingly, the FIR.

From the averments made in the petition, this Court finds that the petitioner do not have criminal antecedent and is in custody since 06.12.2022 and further plea is that due to village politics, he has been falsely implicated.

Taking into account the fact that he remained in custody since 06.12.2022 (as stated in para-14 of the petition) and do not have criminal antecedent, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Sikti P.S. Case No.298 of 2022 to the satisfaction of learned Additional Sessions Judge, VI-cum-Special Judge (POCSO) Araria, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;



(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan/
Sunil

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