

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13536 of 2023

Arising Out of PS. Case No.-188 Year-2022 Thana- JOGAPATTI District- West Champaran

Faiyaz Mian @ Faiyaz Miyan @ Safulah Ansari S/O Mustaqeem Mian R/O
Ajuwa Naya Basti, P.S- Lauriya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 29-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 363, 366A/34 of the Indian Penal Code and Section 12 of the POCSO Act.

3. As per prosecution case, the petitioner along with others is alleged to have abducted the minor daughter of the informant, aged about 15 years for the wrong purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The victim girl was recovered who stated in her statement recorded u/s 161 of the



Cr.P.C. that she was in love and having sexual relation with the petitioner due to which she became pregnant. The victim girl is major who left her house out of her own sweet will. It is also evident from para-4 of the supplementary affidavit that the mother of the victim gave an application before concerned Court in respect of compromise. Moreover, the petitioner has got no criminal antecedent and languishing in judicial custody since 20.12.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Yogapatti P.S. Case No. 188 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge 6th cum-Special Judge, POCSO, West Champaran at Bettiah.

(Sunil Kumar Panwar, J)

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