

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19545 of 2023

Arising Out of PS. Case No.-433 Year-2022 Thana- PAHARPUR District- East Champaran

Shahabuddin Ansari @ Riyaz, Male, aged about 21 years, Son of Alam Miya, resident of village- Sonwat Dashani Patti P.S.- Paharpur District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Kishore Prasad, Advocate with Mr. Vishwanath Prasad, Advocate and Ms. Rekha Prasad, Advocate
For the Opposite Party/s	:	Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Paharpur (Malahi) P.S. Case No. 433 of 2022 dated 29.11.2022 registered for the offence punishable under Sections 363, 366(A), 341, 323, 504/34 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act).

As per the prosecution case, the allegation against the petitioner is that he has taken away the victim girl.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. The victim



girl has been recovered and in her statement under Section 164 of the Cr.P.C. has stated that she had voluntarily left her home and has not made any allegation against the petitioner. Learned counsel for the petitioner further submits that the FIR has been lodged after four days of the alleged occurrence. As per the medical report the age of the victim girl is opined as 18 to 19 years. Petitioner is in jail custody since 06.12.2022 having no criminal antecedent.

Learned APP appearing for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case and submission of learned counsel for the parties, let the petitioner above named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 6th Additional Sessions Judge-cum-Special Judge POCSO, Motihari, East Champaran in connection with Paharpur (Malahi) P.S. Case No. 433 of 2022.

(Sunil Dutta Mishra, J)

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