

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24618 of 2023

Arising Out of PS. Case No.-808 Year-2021 Thana- SHERGHATI District- Gaya

OSAMA ALAM @ OSAMA AALAM SON OF MD. AHTAB @ AFATAB
SHAH R/O VILLAGE- UTRAIN, P.S.- KONCH, DISTRICT- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Syed Asgher Najmi, Adv.
For the Opposite Party/s	:	Mr.Harendra Prasad, APP
For the Informant	:	Mr.Alok Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-08-2023 Heard learned counsel for the petitioner, learned counsel

for the informant and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable u/s 366(A) of the IPC and section 8/12 of the Prevention of Child From Sexual Offence Act.

3. Allegedly, one Neeraj Kumar is alleged to have kidnapped the daughter of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He was not named in the F.I.R. and has been falsely implicated in this case. It is submitted that there is no specific overt act against the petitioner. Statement of the victim was recorded u/s 164 Cr.P.C., in which she has not supported the prosecution case



and age of the victim has been mentioned as 15 years but the medical board assessed the age of the victim as 17-18 years. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering that petitioner has not supported the prosecution case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Sherghati P.S. Case No.808/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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