

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30022 of 2022

Arising Out of PS. Case No.-812 Year-2021 Thana- SHERGHATI District- Gaya

SHAH ALAM @ SARFRAZ S/o Late Idul Hussain Resident of Village-
Safipur Jugiyana, P.S.- Safipur, District- Unav (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha, Adv.

For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the offences punishable under Sections 366(A) and 376 of the Indian Penal Code read with Sections 4/6 of the POCSO Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and he is in custody since 14.12.2021 and is a young boy of 20 years.

Learned counsel for the petitioner submits that the informant alleges that his minor daughter went missing on 06.12.2021 and during the course of search, he came to know that the petitioner had come from Lucknow to Dobhi to meet the victim and thus he apprehended that the petitioner might have kidnapped his minor daughter.

Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case, it is further submitted that though in the FIR it has been alleged that victim was a minor aged about 16 years but the same was not supported by any documentary evidence and the Doctor assessed her above 19 years. It is next submitted that the victim has returned and her statement was recorded under Section 164 of the Cr.P.C. wherein she has not alleged that the petitioner in any manner misbehaved or committed any sexual violence with her rather has admitted that she was known to the petitioner and had gone with him on her own volition.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees 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 (Dobhi) P.S. Case No. 812 of 2021.

(Satyavrat Verma, J)

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