

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30786 of 2023

Arising Out of PS. Case No.-825 Year-2022 Thana- MADHEPURA District- Madhepura

Md. Israfil, aged about 20 years, male, Son of Md. Maksud Resident of village-Chakla, Ward No. 14, P.S. & District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the State : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-06-2023 Heard learned counsel for the petitioner and learned APP for the State.

Learned counsel for the petitioner is permitted to correct the date of custody of the petitioner in the petition in the course of the day.

The petitioner seeks bail in connection with Madhepura P.S. Case No. 825 of 2022 dated 01.09.2022 registered for the offence punishable under Sections 363, 366(A), 364, 120B of the Indian Penal Code and Section 8 of the POCSO Act.

The allegation against the petitioner is that he along with other co-accused persons have kidnapped the minor daughter of the informant enticing her with bad intention.

Learned counsel for the petitioner submits that the



FIR was lodged after 5 days of the alleged occurrence without giving any proper explanation of delay. In the statement recorded under Section 164 Cr. P.C., the victim girl stated that she herself left the house and went with the petitioner due to love affairs. The age of the victim was assessed about 17 and a half year. It is further submitted that there is no allegation of any overt act against the petitioner. The petitioner has no criminal antecedent and is in jail custody since 04.09.2022.

Learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum- Special Judge (POCSO), Madhepura in connection with Madhepura P.S. Case No. 825 of 2022.

(Sunil Dutta Mishra, J)

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