

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37631 of 2023

Arising Out of PS. Case No.-55 Year-2022 Thana- MADHWAPUR District- Madhubani

Md.Israful @ Israfal Son Of Md. Aklu Resident Of Village- Madhwapur, Ps-
Madhwapur, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagandeo Yadav, Mr.Ravi Prakash, Mr.Rajesh

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-08-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 448, 323, 341, 354, 363, 365, 366(A), 376, 504, 506/34 of the Indian Penal Code and Section 4/6 of the POCSO Act.

3. Specific accusation of kidnapping and commission of rape is against co-accused Md. Amir and other co-accused persons. So far as this petitioner is concerned, he is only alleged to have abused and assaulted informant and her family members. The victim (daughter of informant), in her statement recorded under Section 164 Cr.P.C., has not alleged anything against this petitioner and has specifically stated that co-accused Md. Amir established physical relation with her on the pretext of marriage. Petitioner has got clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.



6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. VII cum Special Judge POCSO Act, Madhubani in connection with Madhwapur P.S. Case No. 55 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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