

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40455 of 2023

Arising Out of PS. Case No.-269 Year-2022 Thana- PUNPUN District- Patna

MD SABIR @ MD SHABBIR Son of Md. Salim @ Md. Salim Anshari
Resident of village - Kewra, P.S. - Punpun, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Praveen, Advocate
For the Opposite Party/s : Mr.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in custody since 15.09.2022 in connection with Punpun P.S. Case No. 269 of 2022 for the offence punishable under Sections 366A of the I.P.C. lodged on 17.07.2022 by the informant Birju Paswan.

As per the prosecution story, the daughter of the informant went missing and the informant had strong suspicion that the petitioner took away for the purpose of marriage

Learned counsel for the petitioner submits that both of them are major, subsequently solemnized marriage in the court, has been arrested and in jail since 15.09.2022 (as stated in para 13 in the bail application).

Learned APP opposes the prayer but concede that as



per the learned Session's Judge observation, they have tied nuptial knot.

Considering the aforesaid facts as also that he do not have criminal antecedent and in jail since 15.09.2022, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Addl. District and Session Judge- VII- Cum- Exclusive Special Court (P.O.C.S.O. Act), Patna, in connection with special Case No. 150 of 2022 arising out of Punpun P.S. Case No. 269 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Jyoti/-

U		T	
---	--	---	--

