

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3352 of 2023

Arising Out of PS. Case No.-61 Year-2022 Thana- MAHILA P.S. District- Araria

Afzal Sekh @ Md. Afzal @ Abjal @ Afzal Son of Md. Bablu @ Md. Abid
Under Guardianship of His Father Md. Bablu @ Md. Abid, Son of Late Faso,
Both The Resident of Village - Gaira, W. No. 02, P.S. - Araria, District -
Araria

... .. Appellant

Versus

1. The State of Bihar
2. Sajada Praveen Daughter of Md. Mustaque Resident of Village - Gaira, W.
No.2, P.S. And District - Araria

... .. Respondents

Appearance :

For the Appellant : Mr. Nafisuzzoha, Adv.
For the Respondents : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT

Date : 02-11-2023

1. Heard the parties.
2. This is an appeal under Section 101(5) of the
Juvenile Justice (Care and Protection of Children) Act, 2015
against refusal of the prayer for bail to the appellant by order
dated 28.06.2023 passed by the Additional Sessions Judge-I-
cum-Special Judge, Araria in connection with Special Case
(Child) No. 06 of 2023 arising out of Araria Mahila P.S. Case
No. 61 of 2022.
3. Submission of learned counsel for the appellant
is that the appellant is innocent and has falsely been implicated
in the present case. Further submission is that the victim girl



was medically examined and the doctor found her age in between 17 to 18 years. The appellant is being student having bright future and he has been languishing in remand home since 28.02.2023.

4. The report of the Probation Officer suggests that the appellant needs proper guidance and counselling for his better future.

5. Having considered the submissions advanced on behalf of the parties and the materials available on record, this Court is inclined to grant the privilege of bail to the appellant. Accordingly, the appellant, above named, be enlarged on bail on execution of surety bond by the father of the appellant giving undertaking that he will keep proper care and upkeep of the appellant and will fully co-operate in the pending enquiry/trial.

6. The appeal stands disposed of.

(Arvind Srivastava, J)

utkarsh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.11.2023
Transmission Date	07.11.2023

