

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54003 of 2023

Arising Out of PS. Case No.-274 Year-2023 Thana- CHANPATIA District- West Champaran

AZAJ @ MD. AZAJ ALAM @ AZAJ ALAM S/O MAHBUBUL HAQUE
R/O VILLAGE- DIULIYA WARD NO. 06, POLICE STATION-
SHIKARPUR DISTRICT- WEST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 363 and 34 of the Indian Penal Code and Section 8 of the POCSO Act.

It is a case of kidnapping of minor niece of the informant along with her friend.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of suspicion. The petitioner is not named in the F.I.R. During course of investigation victim girls were recovered and their statement were recorded under Section 164 of the Cr.P.C., wherein they have disclosed the name of petitioner but they have not raised any



finger against the petitioner for any overt act. It is further submitted that the petitioner has got not criminal antecedent and languishing in judicial custody since 03.07.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Chanpatiya Sirisiya P.S. Case No. 274 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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