

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52158 of 2022

Arising Out of PS. Case No.-662 Year-2020 Thana- SUPAUL District- Supaul

MD. JAWED @ MD. JAWED ALAM SON OF MD. SARFUDDIN R/O
VILLAGE- PARSA, WARD NO.-03, P.S. AND DIST.- SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Goutam, Advocate

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is apprehending arrest in connection
with Supaul P.S. Case No. 662 of 2020 under sections 364,
366(A) and 34 of the Indian Penal Code and later Section 323,
366(A), 504, 376(3) of the Indian Penal Code and Section 8 and
4/G of POCSO Act was added.

As per the FIR, the informant alleged abduction of
his daughter and in the torch light, he recognized one of them as
Md. Saif. Further allegation against other accused persons is/are
of helping him in said abduction.

Subsequently, the victim girl was recovered and



she made statement under section 164 of the Cr.P. in which she stated that she recognized one Md. Saif along with two some other accused persons and further allegation against him is of raping her repeatedly.

Learned counsel for the petitioner submits that specific allegation is against Md. Saif and only because he belongs to the same family, he has been implicated in this case.

The last submission is that the other family members/parents have since been granted relief by a coordinate bench of this Court on 29.9.2022 vide Cr. Misc. No. 12438 of 2022.

Let the same be kept on record.

Taking into account the aforesaid fact that the victim girl subsequently under section 164 of the Cr. P.C. named one Md. Saif as also some unknown persons, the petitioner is young boy having no criminal antecedent and similar placed parents of Md. Saif have been granted relief, this Court is inclined to extend him the privilege of bail with condition.

Let the petitioner be released on bail, in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the



satisfaction of learned Additional District & Sessions Judge-VI cum Special Sessions Judge POCSO, Supaul, in connection with Supaul P.S. Case No. 662 of 2020 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with other conditions that the petitioner shall be visiting the concerned police for next six months every fortnight.

(Rajiv Roy, J)

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