

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57840 of 2022

Arising Out of PS. Case No.-652 Year-2020 Thana- MUFFASIL District- West Champaran

Ali Hasan @ Ali Hassan @ Ali Hussain Son Of Sk. Anwar @ Md. Anwar
Resident Of Village - Beldari, P.S.- Bettiah (Muffasil), Distt.- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhileshwar Kumar Shrivastva

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 24-03-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 363, 366(A), 376 of the Indian Penal Code and
Section 8 of the POCSO Act.

It is alleged by the informant that the informant
along with her daughter (victim) aged about 16 years
was at her home. In the night at about 1:00 hours when
informant woke for toilet she did not find victim in her
bed. On search, she came to know that the accused



persons, who are neighbors of the informant, were also not at their home. The informant has alleged that one of accused persons used to tease the victim and he also repeatedly called on her mobile and irritated her. The informant raised suspicion that all the F.I.R. named accused persons including the petitioner have kidnapped the victim for marriage.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner is elder brother of the main accused Saheb Hussain. The statement of victim has also been recorded under Section 164 of Cr.P.C., in which, she has not whispered the role of the petitioner in her kidnapping. A statement has been made in para 3 of the petition that petitioner is accused in one other case apart from the present one.

In the facts and circumstance of the case, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands)



with two sureties of the like amount each to the satisfaction of learned Additional District Judge-VI-cum-Special Judge, POCSO Act, Bettiah, West Champaran in connection with Bettiah (Muffasil) P.S. Case No. 652 of 2020(POCSO Act 190/20).

(Sunil Kumar Panwar, J)

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