

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68180 of 2022

Arising Out of PS. Case No.-103 Year-2022 Thana- SRINAGAR District- West Champaran

Mahmud Alam @ Mehmud Alam Son Of Rauf Khan R/O Village- Pujaha,
Patjirwa, P.S.- Sri Nagar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 19-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 366A/34 of the Indian Penal Code and Section 8 & 12 of POCSO Act pending in the learned court below.

As per the prosecution case, the daughter of the informant Arti Kumari aged about 15 years was said to have kidnapped by accused persons namely Shamsheer Alam and Mahmud Alam with intention to marry.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is delay of 16 days in filing of the present FIR and there is no any explanation about it



which creates serious doubt about the prosecution case. He submits that informant's daughter being major has left her house out of her sweet will in background of love affair with the co-accused Shamsher Alam. He further submits that there is no specific overt act against the petitioner. He submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the statement of the victim recorded under Section 164 Cr.P.C., let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Srinagar P.S. Case No.103/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

ajay/-

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

