

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67708 of 2022

Arising Out of PS. Case No.-81 Year-2021 Thana- TURKAULIYA District- East Champaran

MERAJ ALAM @ MD. MEERAJ ALAM Son of Noor Mohammad Mian
R/v- Parsurampur, P.S.- Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate
For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 18-08-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is an accused in connection with
Turkauliya P.S. Case No. 81 of 2021 under Sections 363,
366A/34 of the Indian Penal Code and Section 8 of the POCSO
Act lodged on 31.01.2021 by the informant, Md. Ashraf Sayee.

The prosecution case, in short, is that on 22.01.2021
while his minor daughter was returning from coaching, the
accused persons including the petitioner herein kidnapped her
daughter for the purpose of marriage with the petitioner and
when informant reached the house of the petitioner, his family
members refused to return minor daughter. Accordingly, the
FIR.

Earlier case diary was called for which has since been



received, a supplementary affidavit is also on record which encloses the deposition of the victim girl who has appeared as D.W. 2 before the Trial Court. According to it, she married the petitioner and the couple is blessed with a five months old child. Further, she is staying with her in-laws and is happy to be there.

Learned APP opposes the prayer for bail but concedes that there is the deposition of the girl/lady otherwise.

Taking into account the aforesaid facts, the deposition of the girl as also that the petitioner is in custody since 08.07.2022, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned 6th Addl. Session's Judge cum Special Judge POCSO Act, East Champaran, Motihari, in connection with Turkauliya P.S. Case No. 81 of 2021 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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