

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76434 of 2023

Arising Out of PS. Case No.-221 Year-2022 Thana- BENIPATTI District- Madhubani

MD ANVARUL MUSTAFA @ ANVARUL MUSTAFA S/O LATE MD.
NASIM VILLAGE- TRIMUHAN, PS. SAHARGHAT, DIST. MADHUBANI

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. MUNNA ANSARI S/O ABDUL HAMID VILLAGE- SAMDA (TOLA ISLAMIYA), PS. BENIPATTI, DIST. MADHUBANI

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashikant

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-11-2023 This is the second attempt of the petitioner for grant of regular bail as earlier the application of the petitioner has been rejected vide order dated 24.05.2023 passed in Cr. Misc. No. 28269 of 2023.

2. Heard the learned counsel for the petitioner and learned APP for the State.

3. The petitioner seeks bail in connection with Benipatti P.S. Case No. 221 of 2022 registered for the offence under Sections 363, 366A, 376, 341, 323, 504, 506/34 of the Indian Penal Code and under Section 4 of the POCSO Act.

4. As per the prosecution case, the petitioner is said to have taken away a minor girl.



5. Learned counsel for the petitioner submits that the petitioner is innocent has not got married to the victim girl at Hyderabad which is also supported by a photograph.

6. Learned counsel for the petitioner also submits that the petitioner is in custody since 24.12.2022.

7. Learned A.P.P. has vehemently opposed the prayer for bail.

8. Considering the aforesaid facts and the period of custody, this application for regular bail is allowed.

9. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-VII-cum-Spl. Judge (POCSO Court), Madhubani in connection with Benipatti P.S. Case No. 221 of 2022.

10. As a condition of this order, the petitioner after being released on bail is directed to co-operate in the trial.

(Sandeep Kumar, J)

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