

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81871 of 2023

Arising Out of PS. Case No.-280 Year-2023 Thana- MADHAURAH District- Saran

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FARUK MONDAL S/O HATEM MANDAL VILLAGE- GAURA GAHATA,
PS. HARIFUKUR,DIST. NADIYA, WEST BENGAL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 370, 371, 372(i)/34 of the Indian Penal Code and Section 8 of the POCSO Act, under Sections 75/79 of the J.J. Act and Sections 3/4/5/6 of the I.T.P. Act and Section 16/17/18 of the Bonded Labour (Abolition) Act.

3. As per prosecution case, the petitioner was apprehended on the spot and allegation against her and co-accused persons is that they used to force minor girls to perform dance in orchestra program. During search many girls were recovered.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. During investigation, it was found that all recovered girls were major and no specific allegation of any physical misbehaviour levelled against the petitioner. He submitted that the police tried to implicate the petitioner in this false and concocted case without any material against him. As a matter of fact, nothing incriminating article has been recovered from the residence of the petitioner and the police with an ulterior motive took away Tanisha Khatoon, the daughter of the petitioner, which will clearly appear from the FIR itself. The story of keeping concealed Tanisha Khatoon is totally false and in an imaginary story of the police. Similarly situated co-accused has already been granted bail by this Bench vide order dated 04.09.2023 passed in Cr. Misc. No. 58875 of 2023. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 30.09.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.



6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Madhaurah P.S. Case No. 280 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Concerned Court.

(Sunil Kumar Panwar, J)

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