

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13301 of 2024

Arising Out of PS. Case No.-182 Year-2022 Thana- BELSAND District- Sitamarhi

Md. Jahid Son of Late Md. Rudal Resident of Village - Pararahi, Police
Station - Belsand, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Pushpendra Kumar Singh, Advocate Ms. Divya Bharti, Advocate
For the Informant	:	Mr. Ayush Kumar, Advocate Mr. Vivek, Advocate
For the State	:	Mr. Binay Krishna, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with
Besland P.S. Case No. 182 of 2022 registered for the offence
under Sections 366-A / 34 of the IPC and Sections 3(1) (r) (s)
(w) (i) of Schedule Caste, Schedule Tribe Prevention of
Atrocities Act.

3. The prosecution case in brief is that on 14.12.2022 at
11 A.M. informant's minor daughter aged about 16 years was
kidnapped by Md. Khursaid with the assistance of Md.
Jamshaid, his brother Sukhari and mother Nazmun Khatoon for
the purpose of marriage. It is further alleged that one Ishrat



Khatoon used to visit her house and made her daughter talked with Md. Jamshaid on mobile.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He is custody since 27.07.2023.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of the FIR, seizure list and judgment dated 01.04.2023, trial No. 29 of 2023 passed by learned Additional Sessions Judge - 6th – cum Special Judge, (POCSO Act), Sitamarhi, it appears that FIR was registered under Section 366 A, 376 of IPC and Sections 3(1) (r)(s)(w) S.C./S.T. (POA) Act and Section 4 of POCSO Act and on the basis of written report of the informant, five accused persons including the petitioner Md. Jahid and on the basis of Annexure – 2 series deposition of two witnesses as a victim and informant, no statement was recorded against the petitioner and other co-accused persons and one co-accused Jamshaid has already been acquitted by learned trial Court and both parties have compromised this case, in these circumstances, I am inclined to grant bail to the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of



the like amount each to the satisfaction of learned Additional Sessions Judge – VI – cum – Special Judge (POCSO Act), Sitamarhi in connection with Besland P.S. Case No. 182 of 2022.

(Ramesh Chand Malviya, J)

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