

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23203 of 2024

Arising Out of PS. Case No.-28 Year-2021 Thana- MAHILA PS District- Katihar

Md. Noor Nawaz @ Md. Noor Nawaj @ Noor Nawas @ Pinku Son of Md. Sultan @ Md. Sultan Alam R/o Village- Chauki, Dhapsia, P.S.- Kadwa, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Rahmatullah

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 19-07-2024 Heard learned counsel for the petitioner as well as learned APP for the State.

2. Learned counsel for the petitioner submits that though the bail application of the petitioner was rejected vide order dated 23.03.2023 in Cr. Misc. No. 40217/2022 but fresh ground for renewal of prayer is that the victim was examined during the trial as PW 5. In paragraph no. 104, 105 and 106 of her deposition she has specifically deposed that co-accused Azhar Nishad was involved in the occurrence. The petitioner was neither involved nor he demanded money from the victim. She has also stated in paragraph no. 107 of her deposition that co-accused Azhar Nishad made her videograph viral.

3. Considering the above-mentioned facts and



circumstances and also considering that the petitioner is under custody for a period of more than 3 and half years, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, SC/ST, Katihar in connection with Katihar Mahila P.S. Case No. 28 of 2021, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) The petitioner shall remain physically present before the learned court below. In case of failure on two consecutive dates, the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(Nawneet Kumar Pandey, J)

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