

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26816 of 2024

Arising Out of PS. Case No.-605 Year-2023 Thana- BRAHMPUR District- Buxar

MD. SABIR S/O MD ASLAM R/O VILLAGE- KURTHA, P.S- KURTHA,
DISTT.- ARWAL

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. Jai Prakash Paswan S/o-Ram Avtar Ram Vill-Rehia PO-Sova PS- Krishna
Brahm Dist.-Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Raj Ballabh Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 30-07-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Brahmpur (Krishan Brahampur O.P.) P.S. Case No. 605 of 2023, registered for the offences punishable under Sections 363 of the IPC. The police after investigation has filed charge-sheet under Sections 363, 366(A), 376 of the IPC and section 6 of the POCSO Act, 2012.

3. As per FIR, the daughter of the informant went to School, but she didn't return till late in the evening.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He is a person of clean antecedent. He



has submitted further that victim herself left her house. Moreover, the victim did not make any allegation against the petitioner in her statement recorded under Section 164 of the Cr.P.C. The petitioner is not named in the FIR and he is under custody since 05.10.2023.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances as well as clean antecedent, 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 District and Sessions Judge-VI-cum-Special Judge, POCSO Act, Buxar in connection with POCSO Case No. 23 of 2024 arising out of Brahmpur P.S. Case No. 605 of 2023, subject to the following condition:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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