

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60924 of 2024

Arising Out of PS. Case No.-97 Year-2024 Thana- DIGHA District- Patna

Parvez Alam @ Parvez Siddiqui Son of Md. Iliyash R/V-Mohalla-Railway Colony, P.S.-Digha, District-Patna

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Jitendra Kumar Son of Jitendra Ratan Lal Chaudhry Resident of Village-Samsuddinpur, Bichla Tola, P.S.- Rivilganj, Distt.- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Adv.
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 09-09-2024 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Digha P.S. Case No. 97 of 2024 dated 22.02.2024 registered for the offences punishable u/ss 363, 366A, 504 read with Section 34 of the Indian Penal Code and Section 12 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the minor daughter of the informant with the help of the co-accused Md. Ali.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The victim in her statement recorded u/s 164 of the Cr.P.C. has stated that she had gone to Delhi with the petitioner with her free will and the petitioner had not made any relation with her thus, no case is made out under POCSO Act against the petitioner. There is no material against the petitioner that the victim was forced to have illicit intercourse with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Digha P.S. Case No. 97 of 2024 with the condition/s:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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