

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59309 of 2023

Arising Out of PS. Case No.-126 Year-2023 Thana- SUGAULI District- East Champaran

Jahangir Aalam @ Jahangir Alam @ Jahangir Hawari Son of Late Jahur Mian, Resident of Village- Sripur Gopalpur, P.S.- Sugauli, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prince Kumar Mishra, Advocate.

For the Opposite Party/s : Mrs. Rita Verma, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 16-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Sugauli P.S. Case No. 126 of 2023 instituted under Sections 363, 366(A)/34 of the Indian Penal Code and under Section 8 of POCSO Act.

3. As per prosecution case, the petitioner alongwith other accused persons kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and he has no criminal antecedent. The victim in her statement under Section 164 of Cr.P.C. has not made any allegation against the petitioner and has stated that she with her own will had gone



with the petitioner and solemnized marriage with him. He further submits that in the medical examination of the victim nothing found against the petitioner and the age of victim has been assessed to be more than 19 years. He also submits that the victim and petitioner both have solemnized marriage and leading their matrimonial life happily.

5. Learned A.P.P. for the State conceded this fact.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Court of 6th Additional Sessions Judge-cum-Special Judge, POCSO Act, Motihari, East Champaran in connection with Sugauli P.S. Case No.126 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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