

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66214 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- BAJPATTI District- Sitamarhi

Md. Arzoo, aged about 19 years, Male, Son of Md. Jahangir, resident of
Village- Vishanpur Ratwara, Police Station- Bajpatti, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das, Advocate

For the Opposite Party/s : Ms. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-10-2024 Heard Mr. Pankaj Kumar Das, learned counsel
appearing on behalf of the petitioner and Ms. Meena Singh,
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Bajpatti P.S. Case No. 13 of 2024 registered for offences
punishable under Sections 376/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, co-accused
Md. Istekhar had committed wrong with the informant for
twenty days by kidnapping her along with the other accused
persons including the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner is innocent and has falsely
been implicated in the present case. Petitioner has no concerned
with the alleged offence nor he has kidnapped the victim.



Allegation of kidnapping and committing wrong with the informant is against co-accused Md. Istekhar, who is elder brother of the petitioner, who had forcibly kept the informant for twenty days and committed wrong and had also forced her to marry with him. Petitioner has clean antecedent and he is in custody since 22.06.2024. On these grounds, petitioner seeks to be released on bail.

5. Learned A.P.P., for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering nature of allegation made in the FIR against the petitioner, as well as, the period of custody undergone by the petitioner, who is in custody since 22.06.2024, the learned District Court is directed to release the petitioner, above named, on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-VI-cum-Special Judge, POCSO Act, Sitamarhi, in connection with Bajpatti P.S. Case No. 13 of 2024 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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