

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83747 of 2023

Arising Out of PS. Case No.-463 Year-2022 Thana- BARACHATTI District- Gaya

Syed Farhan Ali @ Farhan Ali S/O Zafar Ali Village- Itwan, Pirbigha, Ps.
Mohan (BARACHATTI), Dist. Gaya.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shafiuddin Ahmad

For the Opposite Party/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-02-2024 Learned counsel for the petitioner is permitted

to make necessary corrections in the satisfaction portion

of the petitioner, during the course of day.

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 363, 365, 366(A),

376 of the Indian Penal Code, Section 4 of POCSO Act

and Sections 3(2)(v) of SC/ST Act.

Prosecution case in nutshell is that while the

informant along with her minor daughter was returning



to her home, in the meantime, her daughter became trace-less and even after intense search, she could not be found.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Victim has not whispered about the complicity of petitioner in her abduction, in her statement, recorded under Section 164 of Cr.P.C. She has stated that she has went with the petitioner with her own sweet will for solemnization of marriage and petitioner has not committed any wrong with her. It is submitted by petitioner by way of supplementary affidavit that in her deposition of the victim as well as her mother (informant) deposed that the petitioner is innocent and that he has been mistakenly implicated in this case. Moreover, the petitioner is languishing in judicial custody since 25.07.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.



Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Barachatti P.S. Case No. 463 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. VII (POCSO Court), Gaya.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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