

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83920 of 2023

Arising Out of PS. Case No.-393 Year-2023 Thana- RIGA District- Sitamarhi

MD.MOKHATAR @ MD. MUKHTAR Son of Md. Salim /darji Resident of
village- Ganeshpur Bhavangama , P.S Riga Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 10-01-2024 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in a case registered for the offence under Section 366A of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per the prosecution case, petitioner is accused of taking away the victim girl.

4. Learned counsel for the petitioner submits that victim has been recovered on the next morning and from the statement it will appear that the victim may have accompanied the petitioner on her own. The petitioner is in custody since 26.09.2023. Petitioner is quite innocent and has not committed any offence. Petitioner claims clean antecedent.

5. Learned A.P.P. has vehemently opposed the



prayer for bail.

6. Considering the facts and circumstances of the case, this application for regular bail is allowed.

7. Let the petitioner, above named, be released on bail **after framing of charge if the charge is not framed yet** and on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Sitamarhi/concerned Court below in connection with Riga P.S. Case No. 393 of 2023 subject to condition that:-

7(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on absence on two consecutive dates without sufficient reason, the bail bond shall be cancelled by the Court below.

(Sandeep Kumar, J)

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