

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.145 of 2024

Arising Out of PS. Case No.-255 Year-2022 Thana- ATRI District- Gaya

Md. Jamshed Alam @ Jamshed Alam SON OF SAJID ALAM @ MD. SAJID ALAM RESIDENT OF VILLAGE - MANJHAULI, PS- FATEHPUR, DISTT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad , Advocate

For the Opposite Party/s : Mr. Kalyan Shankar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and the State.

2. The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 366(A) and 34 of the Indian Penal Code and Section 8 of POCSO Act.

3 . As per the prosecution case , petitioner is alleged to have kidnapped the minor granddaughter of the informant for the purpose of marriage .

4 It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. The present FIR has been lodged after the delay of 14 days for which there is no plausible explanation which itself creates doubt over the



entire prosecution case . He further submits that victim in her statement recorded under section 164 Cr. P. C. has denied the prosecution case and stated that her family members were putting pressure on her to solemnize marriage without her consent and thereafter she on her own will left her house and had gone with this petitioner. She is pregnant and her age is about 19 years. Charge-sheet has already been submitted in this case . Petitioner claims clean antecedent. He is in custody since 08.05.2023 .

5 Considering the statement of the victim recorded under Section 164 Cr. P . C . and criminal antecedent of the petitioner, prayer for bail of the petitioner is allowed.

6 Let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive special Judge POCSO Cum Additional Sessions Judge VII Gaya in connection with Atri Case No. 255 of 2022 .

(Prabhat Kumar Singh, J)

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