

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80659 of 2024

Arising Out of PS. Case No.-241 Year-2022 Thana- RUNISAIDPUR District- Sitamarhi

Md. Imteyaj Darjee @ Imtaz Darjee @ Imatyaz Darjee @ Md. Imtaz Darjee
S/O Md. Ansari Darjee Resident of Village- Baligarh, P.S- Runnisaidpur,
Distt.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Naveen Jha S/O Late Govind Jha R/V Baligarh, P.S- Runisaidpur, Distt.- Sitamarhi, PIN- 843328.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 10-01-2025 Heard Mr.Subodh Kumar, learned counsel for the
petitioner and Mr.Upendra Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
14.08.2024 in connection with Runnisaidpur P.S. Case No. 241
of 2022, F.I.R. dated 11.05.2022 registered for the offence
punishable under Sections 366(A)/34 of IPC and Section 8 of
POCSO Act.

3. The prosecution case in short, is that, on
10.05.2022 at about 5 O' Clock in the evening minor girl of
informant was kidnapped by Sahanwaj Darji, Sahjad Darji,
Imtaj Dargi and Md. Ansari Dargi in order to drag her in
prostitution or other illegal works.



4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that the victim was recovered and her statement was recorded under Section 164 Cr.P.C. in which she has not supported the case of the prosecution and she has categorically stated that no one has abducted her and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 14.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the FIR and apart from that, the petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge (POCSO Act), Sitamarhi in connection with



Runnisaipur P.S. Case No. 241 of 2022, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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