

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-I
WEST SINGHBHUM AT CHAIBASA**

M.C.A. No. 946 of 2022
CNR-JHCB010034412022

Md. Saif @ Vicky - Vrs. - The State of Jharkhand

Serial No.	Date of order of proceeding	Order with the signature of the Court.	Office notice taken with date
1	2	3	4
	23.11.2022	The bail petition dated 11.11.2022 filed on behalf of the accused-petitioner namely, Md. Saif @ Vicky, son of Md. Jahid @ Bablu, who is in judicial custody since 11.11.2022 in connection with Chaibasa Sadar P.S. Case No. 0094 of 2019 dated 28.07.2019, registered under sections 363/366/120B/366A/376(2)(k) of the I.P.C. and under section 4/6 of the POCSO Act, corresponding to Spl. (POCSO) Case No. 31 of 2019, vide M.C.A. No. 946 of 2022, corresponding to CNR No. JHCB010034412022, has been moved and pressed today by the learned counsel of the accused-petitioner. A copy of the same has already been served to the learned Additional P.P. appearing on behalf of the State. Heard the learned counsel appearing on behalf of the accused-petitioner as well as the	

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-I
WEST SINGHBHUM AT CHAIBASA**

M.C.A. No. 946 of 2022
CNR-JHCB010034412022

Md. Saif @ Vicky - Vrs. - The State of Jharkhand

Serial No.	Date of order of proceeding	Order with the signature of the Court.	Office notice taken with date
1	2	3	4
	<u>Contd.....</u> 23.11.2022	learned Additional P.P. appearing on behalf of the State. The learned counsel appearing on behalf of the accused-petitioner has submitted in course of his submission that the accused-petitioner is absolutely innocent and he has committed no offence as levelled against him rather he has falsely been implicated in this case. The learned counsel appearing on behalf of the accused-petitioner has further submitted in course of his submission that the accused-petitioner was all along on bail but on 25.04.2022 he did not appear before the Court due to which his bail bond was cancelled and order was issued for issuing warrant of arrest against him. The learned counsel appearing on behalf of the accused-petitioner has further submitted in course of his submission that the accused-petitioner had	

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-I
WEST SINGHBHUM AT CHAIBASA**

M.C.A. No. 946 of 2022
CNR-JHCB010034412022

Md. Saif @ Vicky - Vrs. - The State of Jharkhand

Serial No.	Date of order of proceeding	Order with the signature of the Court.	Office notice taken with date
1	2	3	4
	<u>Contd.....</u> 23.11.2022	surrendered before the Court on 11.11.2022 and since then he is in judicial custody and on the basis of the aforesaid submissions, the learned counsel appearing on behalf of the accused-petitioner has prayed that the accused-petitioner may kindly be enlarged on bail. On the other hand, the learned Additional P.P. appearing on behalf of the State has, although, opposed the prayer for bail of the accused petitioner in course of his submission but he has conceded that earlier the accused-petitioner was on bail but on 05.04.2022 the case record was fixed for argument on behalf of the prosecution but neither the accused-petitioner appeared before the Court nor any step was taken on his behalf as a result of which his bail and bail-bond were cancelled and order was passed for issuing warrant	

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-I
WEST SINGHBHUM AT CHAIBASA**

M.C.A. No. 946 of 2022
CNR-JHCB010034412022

Md. Saif @ Vicky - Vrs. - The State of Jharkhand

Serial No.	Date of order of proceeding	Order with the signature of the Court.	Office notice taken with date
1	2	3	4
	<u>Contd.....</u> 23.11.2022	of arrest against him. Thereafter, the accused-petitioner had voluntarily surrendered in this case on 11.11.2022 and since then he is in judicial custody. The learned Additional P.P. has also submitted that this is a case of misuse of privilege of bail by the accused-petitioner granted to him and he has sufficiently been punished for the same. Heard both the sides and perused the case record. From perusal of the case record, it transpires that earlier the accused-petitioner was all along on bail but on 05.04.2022 the case record was fixed for argument on behalf of the prosecution but on that very date neither the accused-petitioner appeared before the Court nor any step was taken on his behalf as a result of which his bail and bail-bond were cancelled and order was passed for issuing warrant of arrest against him.	

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-I
WEST SINGHBHUM AT CHAIBASA**

M.C.A. No. 946 of 2022
CNR-JHCB010034412022

Md. Saif @ Vicky - Vrs. - The State of Jharkhand

Serial No.	Date of order of proceeding	Order with the signature of the Court.	Office notice taken with date
1	2	3	4
	<u>Contd.....</u> 23.11.2022	Further, from perusal of the case record, it also transpires that on 11.11.2022, the accused-petitioner had voluntarily surrendered before the Court through his counsel and he was remanded in this case and since then he is in judicial custody. Further, from perusal of the case record, it also transpires that this is a case of misuse of privilege of bail by the accused-petitioner granted to him and he has sufficiently been punished for the same. So considering the aforesaid facts and circumstances of this case and also considering the detention of accused-petitioner in judicial custody, I am inclined to release the above named accused-petitioner on bail. Accordingly, the prayer for bail of the accused-petitioner is hereby allowed. The	

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-I
WEST SINGHBHUM AT CHAIBASA**

M.C.A. No. 946 of 2022
CNR-JHCB010034412022

Md. Saif @ Vicky - Vrs. - The State of Jharkhand

Serial No.	Date of order of proceeding	Order with the signature of the Court.	Office notice taken with date
1	2	3	4
	<u>Contd.....</u> 23.11.2022	accused-petitioner namely, Md. Saif @ Vicky, is directed to be released on bail on furnishing of bail bond of Rs. 10,000/- (Rupees Ten Thousands) with two sureties of the like amount each to the satisfaction of this Court subject to the condition that he shall remain present physically before the Court on three consecutive dates. Accordingly, the M.C.A. No. 946 of 2022 dated 11.11.2022 filed on behalf of accused-petitioner is hereby also allowed. (Dictated) (Om Prakash) Addl. Sessions Judge-I	