

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34479 of 2015**

Arising Out of PS.Case No. -140 Year- 2015 Thana -POTHIYA District- KISANGANJ

=====

1. Ansarul @ Md. Ansarul son of Hasiruddin, resident of village- Aribari  
(Dealer Tola), Police Station- Paharkatta in the district of Kishanganj

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. B.M.P.Sinha (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN**  
**SHARMA**  
**ORAL ORDER**

4      10-11-2015                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

Petitioner seeks bail in connection with Pothia  
(Paharkatta) P.S. Case No. 140 of 2015 registered for the offences  
punishable under Sections 366A/34 of the Indian Penal Code.

Allegedly, the petitioner and co-accused kidnapped the  
minor daughter of the informant with intention to marry with her  
and was kept in the house of Julfikar, thereafter, the victim was  
recovered and her statement has been recorded under Section 164  
Cr.P.C.

Submission is of false implication and that the victim  
went with the petitioner out of her own sweet will and she has not  
stated regarding any sexual assault or misbehave committed

by the petitioner and as such the petitioner who is suffering in custody since 16.05.2015 deserves sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above, considering the statement of the victim recorded under Section 164 Cr.P.C wherein she has not stated any ill-treatment at the hands of the petitioner, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in connection with Pothia (Paharkatta) P.S. Case No. 140 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

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