

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18170 of 2016

Arising Out of PS.Case No. -751 Year- 2014 Thana -SITAMARHI District- SITAMARHI

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Md. Najeem Ansari @ Najeem Ansari, Son of Kurban Ansari @ Md. Kurban Ansari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Rita Verma (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 03-05-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 27.09.2014 in a case initially, registered for the offences punishable under Sections 363, 366A/34 of the Indian Penal Code but subsequently, after investigation, charge sheet was submitted for the offences punishable under Sections 366A, 376, 120B of the Indian Penal Code, Sections 4, 8, 12 of POCSO Act and Sections 3 (i) (v) of S.C./S.T. (Prevention of Atrocities) Act.

Learned counsel for the petitioner submits that in course of investigation, the statement of victim was recorded under Section 164 of the Cr.P.C. in which she stated the story of kidnapping and rape but when she was examined before the trial court as prosecution witness no. 5, she did not support the story of

kidnapping and rape and, therefore, there is a little chance of conviction of petitioner in the alleged crime.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I, Sitamarhi in connection with Trial No. 01 of 2015 arising out of Sitamarhi P.S. Case No. 751 of 2014.

(Hemant Kumar Srivastava, J)

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