

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33974 of 2016

Arising Out of PS.Case No. -119 Year- 2015 Thana -KHODAWANPUR District- BEGUSARAI

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Abu Bakar Ansari @ Abu Bakar, Son of Md. Bhanu Ansari, Resident of
Village- Vikram Nadail, P.S.- Bakhari, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mrs. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

8 13-12-2016 Heard both sides.

The petitioner seeks bail in Khodawandpur P.S. Case
No. 119/2015, registered for the offences punishable under
Sections 366A and 34 of the Indian Penal Code.

The father of the victim alleged that his daughter had
gone to purchase vegetables, but she did not return. During the
course of search, Md. Abbas disclosed that his daughter was found
in the company of Abu Bakar Ansari (petitioner) and Sahbaj Khan
at Rosera. They were taking meal in a hotel.

Learned counsel for the petitioner submits that the
victim was recovered at Barauni Railway Station. The victim
herself disclosed that she went along with the petitioner and
Sahbaj Khan in a tempo. The victim moved hither and thither



along with the petitioner, but she did not raise any alarm. Of course, the victim alleged that the petitioner established physical relation with her, but the victim appears to be a consenting party. The doctor assessed the age of the victim about 18 years. The victim was major on the date of occurrence. Petitioner is in jail since 11.06.2015. Petitioner has already remained in jail for one and half year.

Learned A.P.P. opposed the prayer for bail.

It appears that the victim sat in the tempo along with the petitioner and went to Khagaria and different places and when she was being taken to Delhi, she was recovered by the police at Barauni Railway Station. The doctor has assessed the age of victim to be 18 years. The victim appears to be a consenting party.

Considering the facts aforesaid and the fact that the petitioner is in jail for one and half year, the petitioner above-named, is directed to 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 Additional Sessions Judge I, Begusarai in connection with Khodawandpur P.S. Case No. 119/2015.

(Prabhat Kumar Jha, J.)

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