

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.766 of 2016

Arising Out of PS.Case No. -8 Year- 2014 Thana -MAHILA P.S District-
WESTCHAMPARAN(BETTIAH)

Qyamuddin Ansari, son of Gaffar Ansari, resident of Village- Phulwariya,
Police Station- Ramnagar, District- West Champaran Petitioner

Versus

The State of Bihar Opposite Party

with

Criminal Miscellaneous No.1220 of 2016

Arising Out of PS.Case No. -8 Year- 2014 Thana -MAHILA P.S District-
WESTCHAMPARAN(BETTIAH)

Amirul Ansari Son of Nesar Ansari, Resident of Village- Phulwaria, P.S.
Phulwaria, P.S. Ramnagar, District - West Champaran. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

(In Cr.Misc. No.766 of 2016)

For the Petitioner/s : Mr. Zainul Abedin

For the Opposite Party/s : Mr. Kalayan Shankar(APP)

(In Cr.Misc. No.1220 of 2016)

For the Petitioner/s : Mr. Radha Mohan Pathak

For the Opposite Party/s : Mr. Bhanu Pratap Singh(APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 09-03-2016

Above noted both the applications have arisen out of

one occurrence i.e. Mahila P.S. Case No. 08 of 2014 registered for
the offences punishable under Sections 366(A)/34, of the Indian
Penal Code and as such they have been heard together and are
being disposed of by this common order.

Allegedly, Taiyaba Khatoon aged about 14 years the
daughter of the informant became traceless on 02.01.2014 and
after search it revealed that she was taken away by the petitioners
Amirul Ansari and Qyamuddin Ansari. During investigation, it

reveals that Taiyaba Khatoon and Lailoon Khatoon the daughter of Jaimul Miyan both went away and did not return.

Submission is of false implication and that the petitioners have no concern with the victim girls. The informant lodged this case after about 2 months of the occurrence, the informant has made false allegation only with a view to implicate the petitioners, during investigation Jaimul Miyan has submitted affidavit and has stated before the I.O. vide para 30 of the case diary that both victims went out of their own sweet will and petitioners have got no concern in their kidnapping and further in paragraph 85 of the case diary it has come that tower location of the victims were found in Jammu and Kashmir, whereas the petitioners are in custody, no fruitful purpose is going to be served by detaining them, the chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. submits that informant and other witnesses have supported the allegation

In view of the facts and circumstances stated above, considering that the chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, both the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each

with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bagha, West Champaran in connection with Mahila P.S. Case 08 of 2014, subject to conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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