

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39635 of 2016

Arising Out of PS.Case No. -95 Year- 2015 Thana -MAHILA P.S. District- SIWAN

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Rajan Ansari, S/o- Bhola Ansari. resident of village- Gambhir Hatha, P.S.-
Jamo Bazar, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 20-09-2016 Heard both sides.

The petitioner apprehends his arrest in Siwan Mahila P.S. Case No. 95/2015, registered for the offences punishable under Section 366A and other sections of the Indian Penal Code.

The informant alleged that Rustam Mian was always saying that he would marry with the daughter of the informant. On 17.04.2015 the daughter of the informant along with her aunt went to attend the call of nature, but all the accused persons kidnapped her daughter.

It is submitted that the petitioner has no manner of concern with the victim or Rustam Mian. The victim appears to be major. The doctor assessed the age of the victim about 19 years. The victim made statement under Section 164 Cr. P.C. and

disclosed that Sultan, Ahsan and Rustam Mian kidnapped her and brought her near in a Bolero. Azhar, Rajan Ansari, Rehana Khatoon and Rajni Khatoon were inside the Bolero from before. The victim did not make any specific allegation against the petitioner, but she made very specific allegation against Rustam Mian that it was the Rustam Mian who took her to Nagpur and committed rape with her. Similarly situated other co-accused persons Rehana Khatoon and Rajni Khatoon who are ladies have already been granted anticipatory bail by the learned Sessions Judge in A.B.P. No. 2061/2015.

Considering the facts aforesaid and the nature of allegation against the petitioner, the petitioner above-named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Chief Judicial Magistrate, Siwan in connection with Siwan Mahila P.S. Case No. 95/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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