

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57564 of 2018

Arising Out of PS.Case No. -200 Year- 2018 Thana -SAHEBGANJ District- MUZAFFARPUR

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1. AJIMULLAH ANSARI @ AJMULLAH ANSARI @ BUKHARI
SAHAB S/o Md. Sakur Ansari, R/o Vill.- Neem Chowk, P.S.- Saheb ganj,
District- Muzaffarpur, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Sri Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 31-10-2018

Heard learned counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner seeks bail in Sahebganj P.S. Case No.
200/2018, instituted for the offences under Section 377 of the Indian
Penal Code read with Section 4, 8 and 12 of POCSO Act.

It is alleged in the written report that informant has a tea
stall. On the date of occurrence he had gone to market for purchasing
article and his wife had also gone in the vicinity. When he returned
from market, he did not find his 10 year old son at tea stall. He started
searching his son and learnt that his son has been taken by this
petitioner. When the informant went to the house of this petitioner, he
found that this petitioner was lying on the abdomen of his son and
doing unnatural sex. It is further alleged that there was bleeding from
the anus of son of informant.

Case diary has been received in this case.



Statement of victim boy has been recorded under Section 164 Cr.P.C., wherein he has narrated different story. He has stated that when he had gone to purchase mobile, this petitioner brought him to his house and committed illegal act with him.

Learned counsel for the petitioner has submitted that medical report of the victim boy is available in para 33 of case diary wherein doctor has not found any abrasion or tear in region. Instant case has been filed against this petitioner due to land dispute. Petitioner is a member of Communist Party and the informant was having tea stall in the land of party office. The proceeding has been initiated to get the land vacated. Thereafter, the instant case has been lodged. Petitioner is in custody since 04.06.2018.

Considering the aforesaid fact and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO Act, Muzaffarpur in connection with Sahebganj P.S. Case No. 200/2018, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J.)

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