

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49899 of 2018

Arising Out of PS. Case No.-177 Year-2017 Thana- GAIGHAT District- Muzaffarpur

Md. Jahagir S/o Md. Hadish Ansari @ Hadish Ansari, R/o Vill.-
Gayasuddinpur, P.S.- Gayghat, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate.

For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 12-12-2018 This matter has been listed before me by order of
Hon'ble the Chief Justice dated 3.12.2018.

Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks anticipatory bail in **Gayghat P.S.**
Case No. 177 of 2017 instituted for the offence under Section(s)
363, 366, 366(A) Indian Penal Code and Section 8 of the
POCSO Act.

Counsel for the petitioner submits that other co-
accused persons have already been granted anticipatory bail by
this Court vide order dated 29.3.2018 passed in Cr. Misc.4247
of 2018.

In the written report it is alleged that minor daughter
of informant namely, Priti Kumari, went for natural call where



this petitioner along with other accused persons gagged her mouth and forcibly seated her on the Motorcycle of co-accused Jafir Ansari and were going towards Ramnagar. In the meantime, co-accused Bittu Kumar and Rajiv Kumar were going for call of nature saw that co-accused Jafir Ansari had seated daughter of the informant with him and Munna Ansari had gagged her mouth. The other co-accused persons riding on Motorcycle were running behind the Motorcycle of Jafir Ansari.

The victim girl on recovery has given statement under Section 164 Cr. P.C. wherein she has stated that no any illegal act has been committed by any of the accused persons.

Considering the facts and circumstances of the case, prayer for anticipatory bail of petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Gayghat P.S. Case No. 177 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional Sessions Judge, Ist, Muzaffarpur**, subject to the conditions as laid down under Section 438(2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of he court



concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bonds and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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