

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61250 of 2019

Arising Out of PS. Case No.-94 Year-2019 Thana- KURTHA District- Jehanabad

=====

ALI IMAN ANSARI @ ALIMAM ANSARI @ MD. ALI IMAM ANSARI
Son of Zubair Ansari @ Zubair Alam Resident of Village - Saidpur, P.S.-
Kurtha, District- Arwal

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ajay Thakur
		Ms. Babita Kumari
		Mr. Nilesh Kumar
For the Opposite Party/s :		Mr. U.L. Verma, APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 14-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 10.07.2019 in connection with Kurtha P.S. Case No. 94 of 2019 registered for the offence punishable under Sections 354 of the Indian Penal Code and Section 8 of the POCSO Act.

Learned counsel for the petitioner submits that the allegation against the petitioner, at best, can be brought under the preview of Section 354(A) and not 354 of the IPC as has been levelled in the present FIR. It is further submitted that in any view of the matter, the parties have compromised the matter, but the learned court noting that the factum of compromise cannot be considered as the offence is not compoundable and has rejected the case of the petitioner. He



further submits that the petitioner has already been in custody for over four months and shall co-operate in the conduct of the trial.

Having considered the nature of allegations made against the petitioner and that the petitioner undertakes to co-operate in the trial, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ADJ 1st, Jahanabad, in connection with Kurtha P.S. Case No. 94 of 2019, subject to the following conditions:-

(1) One of the bailors will be the father of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the



State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

Saif/-

U		T	
---	--	---	--

