

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62861 of 2019

Arising Out of PS. Case No.-22 Year-2012 Thana- PURNIA COMPLAINT CASE District-
Purnia

Ashik Ansari @ Md. Ashik Ansari (M), aged about 46 years, Son of Isha Ansari, Resident of Village - Makhnaha, P.S.- Banmankhi, Distt.- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chanda Khatoon (F) about 22 years, D/o Kasim Ansari, Resident of Village - Makhnaha, P.S.- Banmankhi, P.S.- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Sinha, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Purnea Complaint Case No. 22 of 2012 in which cognizance has been taken under Sections 376, 366(A), 342 and 120(B) of the IPC against the petitioner and others.

The allegation against the petitioner is that the petitioner along with other co-accused persons kidnapped the complainant on the gun point and committed rape upon her.

Learned counsel appearing for the petitioner submits that from perusal of the entire complaint no offence is made out against the petitioner for offence of committing rape. Learned counsel further submits that the allegation of committing rape is upon accused no. 1 and 2 and accused no. 1 has been granted



anticipatory bail by this Court in Criminal Miscellaneous No. 25066 of 2019. Learned counsel further submits that similarly situated accused person has also been granted bail by this Court in Criminal Miscellaneous No. 55912 of 2017, which is at Annexure-2.

Having regard the submission made by the parties and taking into consideration the fact that no allegation of sexual assault is there on the petitioner and similarly situated accused persons have been granted anticipatory bail by this Court, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Purnea in connection with Purnea Complaint Case No. 22 of 2012 subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

U			
---	--	--	--

