

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77727 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- DAWATH District- Rohtas

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Milasir Ansari @ Mowasir @ Mobasir Ansari, aged about 25 years, Male,
Son of Naseer Ansari @ Naseer Miyan, Resident of Village - Rajandih, P.S.-
Rajpur, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta, Advocate

For the Opposite Party/s : Mr.Satyavrat Verma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Dawath P.S. Case No. 105 of 2019 registered for the offence
punishable under Section 366A/34 of the Indian Penal Code.

As per the F.I.R., the informant Jitendra Ram's minor
daughter namely Poonam Kumar aged about 14 years was kidnapped
on 13.06.2019 at about 01:00 P.M. in broad day light from
Maliyabagh bazaar by the accused by inducing her for marriage. The
further allegation is that the other accused Hasanu Ansari had
facilitated in kidnapping of the daughter under a conspiracy while
she had gone to Maliyabagh bazaar.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and he has



falsely been implicated in this case. The whole allegation alleged in the FIR are false and concocted. He further submits that the petitioner had taken the victim girl to Delhi with the consent of victim's mother for a visit to the historical place and petitioner treated her as sister.

I have gone through the record available on record and the order of the court below. It is mentioned that the statement of the victim under Section 164 Cr.P.C. has been recorded by the learned Magistrate in which she has stated that she was kidnapped by the accused persons and was taken to New Delhi against her will. The Medical board in paragraph-34 has ascertained the age of victim Poonam Kumari is about 15-16 years.

In the facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the court below and pray for regular bail. The learned court below is directed to pass the order on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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