

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2740 of 2020

Arising Out of PS. Case No.-89 Year-2019 Thana- JAMHOR District- Aurangabad

Nehal Ansari, aged about 30 years, Son of- Late Kamaluddin Ansari,
Resident of Village - Idgah Bigha, P.S.- Dehri On Sone, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance

For the Petitioner : Mr. Nivedita Nirvikar, Advocate

For the State : Mr. Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 08-06-2020 Heard learned counsel for the petitioner and learned A.P.P
for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Jamhore P.S. Case no.89 of 2019 registered under sections 363, 366A and 120B of the Indian Penal Code.

As per allegation in the F.I.R., it is stated by the informant that the accused persons named in the F.I.R. took away the two minor daughters of the informant with the intent of marriage.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the F.I.R. His name transpired in course of investigation when due to misplaced apprehension of some persons he was caught on 6.8.2019. It is further submitted that there is a delay of almost 20 days in lodging of the F.I.R



without any plausible explanation for the same. The petitioner has no criminal antecedent and is in custody since 8.8.2019.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and on going through the records of the case, it transpires that both the minor daughters of the informant were recovered and their statements were recorded under section 164 Cr.P.C. One of them in her statement under section 164 Cr.P.C. has stated about four accused persons having forcibly taken her away, threatened her and of having committed rape. In course of investigation it transpired that the said daughter of the informant were being taken by the petitioner and on *hulla* being raised the petitioner was arrested with one of the victims. Thus in view of the facts stated above, this Court is not inclined to enlarge the petitioner on bail and as such his application for bail is rejected.

However, in the facts and circumstances of the case, the petitioner if so advised may renew his prayer for bail after completing one year of custody.

(Partha Sarthy, J)

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