

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18022 of 2020

Arising Out of PS. Case No.-396 Year-2019 Thana- MINAPUR District- Muzaffarpur

1. MD. SAGIR @ SAGIR ANSARI @ MD. SAGIR ANSARI Son of Hanif Ansari @ Md. Hanif Ansari, Resident of Village - Vashudeo Chhapra Tole Gadhamana, P.S.- Minapur, Dist.- Muzaffarpur.
2. Usman Ansari @ Md. Usman Ansari Son of Savik Ansari Resident of Village - Minapur Centre, P.S.- Minapur, Dist.- Muzaffarpur.
3. Manzoor Ansari @ Manzoor Aas Son of Usman ansari Resident of Village - Minapur Centre, P.S.- Minapur, Dist.- Muzaffarpur.
4. Md. Hasim @ Md. Hasim Ansari Son of Hanif Ansari Resident of Village - Vashudeo Chhapra Tole Gadhamana, P.S.- Minapur, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 363, 363A, 120B, 504 of the Indian Penal Code and Sections 7, 8, 11 and 12 of POCSO Act.

Allegation is that the accused persons including the



petitioners kidnapped the minor son of the complainant/informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is a case and counter case between the parties. The present F.I.R. has been drawn under Section 156(3) of Cr.P.C. on the basis of complaint case. The date of occurrence is said to be from 10.05.2019 to 08.06.2019 and the complaint case was filed on 10.06.2019. The counter case is Annexure 2 to the present application. As per Annexure 2, the daughter of petitioner No.1 was to get married with the victim, but later on the informant of the present case opposed to the said marriage. For the said reason, to save their own skin the present complaint/F.I.R. has been instituted with malafide intention.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on



anticipatory bail on their personal bond to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, Muzaffarpur in connection with Minapur P.S. case No.396 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners will furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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