

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72884 of 2019

Arising Out of PS. Case No.-90 Year-2015 Thana- JAGDISHPUR District- Bhagalpur

MD. JAFAR ANSARI Son of Md. Mahboob Ansari Resident of Village-
Singhari, P.S.- Maharama, District- Godda (Jharkhand)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal
For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 06-03-2020 Heard learned counsel for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 363, 366A and 504/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report of Shamim submitted before the Station House Officer, Jagdishpur Police Station is to the effect that on 23.05.2015, at about 11.00 A.M., the daughter of the informant, Ruby, aged about 16 years went to Jagdishpur Block to obtain residential certificate, but she did not return. On inquiry, the informant came to know that her daughter has been enticed away by petitioner.

It is submitted by learned counsel for the petitioner



that in the statement recorded under Section 164 of the Cr.P.C. the victim got her age recorded as 16 years, the learned Court below has also assessed her age as such whereas the doctor has opined the age of the victim as 18 years, as contained in Annexure-2. The victim has stated in her statement that she own went in the company of the petitioner and performed marriage with him. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the state submits that the accusation is specific against the petitioner.

Considering the fact that the FIR was registered in the year 2015 and prayer for anticipatory bail has been preferred after five years, this Court is not inclined to grant anticipatory bail to the petitioner.

Let the learned Court below consider the prayer for regular bail of the petitioner and preferably disposed of the same on the same day, keeping in view of the fact that the victim has not supported the accusation of kidnapping, in the statement recorded under Section 164 of the Cr.P.C. and during medical examination she was found major, if the petitioner surrenders within a period of six weeks, in



connection with Jagdishpur P.S. Case No. 90 of 2015,
pending before the learned CJM, Bhagalpur.

With the above observation, this application is,
accordingly, disposed of.

(Dinesh Kumar Singh, J)

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