

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13273 of 2021

Arising Out of PS. Case No.-367 Year-2020 Thana- DIGHA District- Patna

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Md. Ashim S/O Md. Anwar Ansari Resident Of- Near S.K. Public School
Sisoni Prabodhi, Akhtiarpur Ptera, Distt.- Vaishali, A/P- House Of Md.
Gulam, Digha Jamakharij, P.S.- Digha, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Priyedarshi

For the Opposite Party/s : Ms. Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-07-2021 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Digha P.S. Case No. 267 of 2020 registered for the offence punishable under Sections 363, 366 A of the Indian Penal Code.

As per the prosecution case, allegation against the petitioner is that he has abducted the minor daughter of the informant while she was going to her school. It is alleged that while she was going to her school, the petitioner came in her way and she was



forcefully taken by him towards Hajipur by a Jeep and after two days she was also taken to a hotel at Muzaffarpur from where she managed to make a call to her parents.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that infact, the petitioner and daughter of the informant were friends which the informant did not like and both the petitioner and daughter of the informant went together with their free will and consent. He further submits that *vide* Annexure 2 with this bail application, in her statement under Section 164 Cr.P.C. the daughter of the informant nowhere alleged about any intent or act or even attempt to force and seduce to illicit intercourse. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent as has been mentioned in para 3 of the bail application and has been languishing in custody since 20.07.2020.

Learned APP for the State vehemently opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below



where the case is pending/successor court in connection with
Digha P.S. Case No. 267 of 2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

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