

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1498 of 2021**

Arising Out of PS. Case No.-71 Year-2020 Thana- PURUSHOTTAMPUR District- West
Champaran

NEYAJ ANSARI, Son of Arif Ansari, Resident of Village- Sagrauwa, Police
Station- Purshottampur, District- West Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar No 7, Advocate.

For the Respondent/s : Mr. Spl. PP.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 30-06-2021 Let the defects be removed within four weeks of the
start of the physical Court.

Heard the parties in virtual Court.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 against the refusal of prayer for bail vide
order dated 06.01.2021 passed by the learned Addl. District and
Sessions Judge-VII cum Special Judge (POCSO), Bettiah, West
Champaran in B.P. No. 3233 of 2020, arising out of
Purshottampur P.S. Case No. 71 of 2020 registered under
Sections 376/504/506 of the Indian Penal Code, Sections 3, 4
and 8 of the POCSO Act and Sections 3(i)(r)/3(2-A) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989.

The statement of the victim girl recorded under



Section 164 Cr.P.C. would reveal that she had levelled allegation of rape against co-accused Mainuddin. She has said nothing against the appellant. Investigation of the case is already complete.

Considering the facts aforesaid, let the appellant, above named, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with the aforesaid case, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The appellant shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

(c) The appellant shall not leave the country without permission of the trial Court.

Accordingly, the impugned order is set aside and the appeal is allowed.

(Birendra Kumar, J)

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