

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34971 of 2021

Arising Out of PS. Case No.-885 Year-2020 Thana- DEHRI TOWN District- Rohtas

WAHID AKRAM ANSARI Son of Ali Imam Anari @ Imam Ansari Resident
of Village- Mathurapur Colony, P.S.- Dalmianagar, District- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Kumar

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-09-2021

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 365, 366, 376, 386 of the Indian Penal Code.

As per the prosecution case, while the daughter of informant went out to attend the call of nature, this petitioner at the gun point took away the daughter of informant in the car and fled away.

Learned counsel appearing for the petitioner submits that earlier also, on similar allegation, Dehri P.S. case No. 134/2020 u/s 366A/34 of the IPC was instituted against this petitioner and in that case victim was examined u/s 164 of the Cr. P. C. but she denied the allegation made in the FIR and she expressed her willingness to go with her father-in-law and in view of the aforesaid statement of the victim recorded u/s 164 of the Cr.P.C. final form was submitted in that case in favour of petitioner. It is submitted that this victim is in the habit of filing such frivolous cases. In the present case the victim has not been examined by doctor nor her statement u/s 164 of Cr. P. C. has been recorded. There is no eye



witness of the occurrence. Petitioner is in custody since 15.01.2021 and investigation in this case is complete

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Aditi Gupta, Judicial Magistrate, Dehri-on-Sone in connection with Dehri (Dalmianagar) PS case No. 885/2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

BKS/-

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