

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36591 of 2020

Arising Out of PS. Case No.-27 Year-2018 Thana- MAHILA P.S. District- Saran

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Akhtar Ansari S/o Kitabudin Miyan Residence of Village- Dhanauti P.S.-
Ekma, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Rajani Kumari, Adv.
For the State : Mr. Suman Kumar Singh APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 01-02-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honor his
undertaking given in the instant case for depositing the requisite
court fee and to remove the defects as pointed out by office
when called upon.

The petitioner seeks bail in Mahila P S Case No 27 of
2018 instituted for the offence under Section(s) 376 (G), 506,
379/34 of the Indian Penal Code.

Two persons have allegedly taken away the informant in a
vehicle. It is alleged that co-accused Asgar Ansari has also
forcibly established physical relation with the informant.

Learned counsel for the petitioner submits that FIR has
been lodged on 27.06.2018, nearly 17 days after the alleged
occurrence dated 10.06.2018. It is a case of false implication on
extraneous consideration. The doctor has assessed the age of the
victim to be 19 years and had not found any sign of sexual
assault upon the body of the victim. The co-accused against



whom there is an allegation of establishing forcible physical relation has been allowed bail in Cr Misc No 15857 of 2019. There is no criminal antecedent of the petitioner. The petitioner is in custody since 08.06.2020.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, 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 the learned Additional District Judge 1st-cum-Special Judge POCSO, in connection with Saran Mahila PS Case No 27 of 2018, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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