

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38489 of 2020
Arising out of P.S. Case No. 302, year- 2020, Thana Korha, District-
Katihar

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Md. Harun Ansari@ Harun Rasheed, Male, aged about 68 years, S/O Late Munshi Miyan, R/O Village Gorgama, Ward No. -16, P.S. Korha, District Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opp. Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sah, Adv.

For the Opp. Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-05-2021

The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Amitesh Kumar, the learned APP appearing for the State.

The petitioner apprehends his arrest in connection with Korha P.S. Case No. 302 of 2020 for the offence punishable under Sections 363, 366A, 341, 323, 504. 506/34 of the Indian Penal Code.

The case of the prosecution in brief, according to the mother of the victim girl, is that on the date and time of occurrence, the daughter of the informant namely Suman Khatoon was the accused persons with the



intention of marrying her with the co-accused person namely Babeer Ansari.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case merely because he happens to be the father of the co-accused person namely Babeer Ansari. The petitioner is stated to be having a clean antecedent. The learned counsel for the petitioner has further referred to the statement of the victim girl, recorded under Section 164 Cr. P.C., by the learned Judicial Magistrate, 1st Class, Katihar, to show that as far as the petitioner is concerned, no allegation has been levelled by the victim girl and she has stated that she was kidnapped by the co-accused person, namely Babeer Ansari who had also committed wrong with her.

Mr. Amitesh Kumar, the learned APP appearing for the State has vehemently opposed the prayer for anticipatory bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the parties and taking into account the materials available on record as also the statement made by the victim girl under Section 164 Cr. P.C., it is apparent that as far as the petitioner is concerned, he happens to be the father of the main



accused person and has not been alleged to have committed any wrong with the victim girl, hence, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the learned court below within a period of four weeks from today, the petitioner, above-named, shall be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar in connection with Korha P.S. Case No. 302 of 2020, subject to the conditions laid down under Section 438(2) of the Cr. P.C.

(Mohit Kumar Shah, J)

Tiwary/-

