

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13109 of 2021

Arising Out of PS. Case No.-193 Year-2020 Thana- DHANHAHA District- West Champaran

Mustufa Ansari @ Mustafa Ansari, Son of Ali Mohammad, Resident of
Village- Hirnahi, P.S.- Jataha, District- Kushi Nagar, (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baxi S.R.P. Sinha, Sr. Advocate Mr. Zainul Abedin, Advocate
For the Opposite Party/s	:	Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 16-08-2021 The matter has been taken up today for consideration
through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned Senior Counsel for the petitioner and
the learned APP for the State.

The petitioner seeks bail in connection with Dhanha
P.S. Case No.193 of 2020 registered for the offence punishable
under Sections 363, 366A/34 of the Indian Penal Code, which is
pending in the court of learned Additional Chief Judicial
Magistrate, Bagaha, West Champaran.



The informant has lodged the F.I.R. alleging that the petitioner has taken his daughter away.

Learned Senior Counsel representing the petitioner submits that there is three days' delay in lodging the F.I.R. His implication is false and that the victim has been recovered and has not stated about any physical abuse. The petitioner has been in custody since 29.8.2020 and has no criminal antecedents.

Learned APP has assisted the Court with reference to case diary. It is submitted that though there is no allegation of any sexual or physical abuse, the petitioner has taken the victim girl to Hyderabad where the police has recovered the girl. In her statement under Section 164 Cr.P.C., the victim has also supported the case. The victim is stated to be a minor.

Considering the rival submissions as also the facts and circumstances of this case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the learned APP. Prayer is rejected, for the present.

The trial court should proceed for expeditious disposal of the trial with a view to its conclusion without any undue adjournments or unnecessary delay.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings



regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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