

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4891 of 2022

Arising Out of PS. Case No.-403 Year-2020 Thana- CHOUTARWA District- West
Champaran

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TUFAIL AHMAD@ TUFAIL Son of Sahdulah Khan @ Shaidullah Kha
Resident of Village- Kolhua Chautarwa, P.S.- Chautarwa, District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-08-2022 A supplementary affidavit has been filed on behalf of

the petitioner which is kept on record.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 366(A)/34
of the Indian Penal Code and Section 4 of the POCSO Act.

It is a case of abduction of the informant's niece by
the accused persons including the petitioner.

It is submitted by learned counsel for the petitioner
that the petitioner has falsely been implicated in this case. He
further submits that the petitioner is not named in the FIR and
the name of the petitioner came into light on the disclosure of
the victim in her statement made under Section 164 of the
Cr.P.C. He further submits that there is no specific allegation
against this petitioner and only the victim stated that the



petitioner was present at the house of one co-accused Abu Bakar. It is also submitted that the main allegation of kidnapping of the victim is against co-accused Abu Bakar and he also confined to her in his house. It is also submitted by way of supplementary affidavit that this fact disclosed that the victim solemnized the marriage with co-accused Abu Bakar.

Learned APP appearing for the State opposed the anticipatory bail.

Considering the aforesaid submissions, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-VII-cum-Special Judge (POCSO), West Champaran, Bettiah in connection with Chautarwa P.S. Case No. 403 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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