

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30517 of 2021

Arising Out of PS. Case No.-94 Year-2019 Thana- SIKARPUR District- West Champaran

AFZAL IMAM Son of Sheikh Akhtar Resident of Village - Jogia, P.S.- Ram
Nagar, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Md. Aslam Ansari
For the Opposite Party/s :	Mr.APP
For the Informant	Mr. A.N. Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-02-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

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

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Sikarpur P.S. Case no. 94 of 2019 instituted for the offence
under Sections 366(A)/34 of the Indian Penal Code and
Sections 4 and 8 of the POCSO Act.

As per allegation in the FIR, several accused persons



including the petitioner abducted the minor grand-daughter, aged about 14 years, of the informant.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. In the statement of the victim girl recorded under Section 164 Cr.P.C., she has not made any allegation of kidnapping against the petitioner rather she has stated that she is major, aged about 19 years and out of her own sweet will, she has left her house for solemnizing marriage with co-accused Habubul Rahman. Petitioner has got no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Sikarpur P.S. Case no. 94 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West



Champaran at Bettiah subject to the conditions as laid down
under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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