

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32360 of 2021

Arising Out of PS. Case No.-117 Year-2020 Thana- ADAPUR District- East Champaran

1. Nawab Ansari Son of Mukhtar Ansari Resident of Village - Ghorasahan, P.S.- Harpur, District - East Champaran.
2. Wasim Ansari @ Aasim Ansari Son of Khurshid Ansari Resident of Village - Ghorasahan, P.S.- Harpur, District - East Champaran.
3. Shakila Khatoon Wife of Khurshid Ansari Resident of Village - Ghorasahan, P.S.- Harpur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-01-2022 Heard learned counsel for the parties through virtual court proceedings.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of normal court proceedings. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in Adapur (Harpur) P.S. Case No.117 of 2020, registered for the offences punishable under Sections 341, 323, 354, 504 and 34 of the Indian Penal Code.



Petitioners No.1 and 2 are said to have tried to commit rape with the victim, daughter of the informant. When the informant and others caught and brought them to the house of the informant, petitioner no.3 and others reached there and they helped petitioners no.1 and 2 in fleeing away from the clutches of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is further submitted that the occurrence took place on 22.03.2020, but the FIR was lodged on 02.05.2020, after delay of forty days without giving any explanation. It is also submitted that the husband of the present informant also filed another case (Annexure-2) against the petitioners' side on 05.07.2020, after delay of four days without any explanation.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Taking into consideration the fact that the occurrence took place on 22.03.2020 and the FIR was lodged on 02.05.2020, after delay of forty days without any explanation, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds



of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge, POCSO Act, Motihari, East Champaran in connection with Adapur (Harpur) P.S. Case No.117 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J.)

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