

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4731 of 2021

Arising Out of PS. Case No.-20 Year-2020 Thana- MAHILA P.S District- West Champaran

1. SULEMAN ANSARI Son of Amrullah Ansari @ Amrullahi Ansari @ Amrulahi Miya Resident of Village-Badipatti, Tiwari Tola, Ward No.-20, P.S.-Bagaha, District-West Champaran
2. Arman Ansari Son of Late Jaharuddin Ansari @ Late Jaruddin Ansari Resident of Village-Badipatti, Tiwari Tola, Ward No.-20, P.S.-Bagaha, District-West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-01-2022 At the outset, it is submitted by learned counsel for the petitioner that he is pressing this application only against petitioner no. 2, namely, Arman Ansari.

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 Bagaha (Mahila) P.S. Case no. 20 of 2020 instituted for the



offence under Sections 341, 323, 504, 376/34 of the Indian Penal Code and Section 4 of the POCSO Act.

As per allegation in the FIR, co-accused Suleman Ansari established physical relation with the informant with an assurance that he will marry her but later on he denied. When the informant went to the house of Suleman Ansari, several accused persons including the petitioner started to abuse and assault her resulting into her injuries on back, waist and thigh.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. Suleman Ansari, who was the main accused in this case, has already performed marriage with the informant and in support of this, Annexure-2 is annexed to this petition. Similarly situated several accused persons have already been granted bail by another Bench of this Hon'ble Court vide order dated 2.3.2021 passed in Cr. Misc. No. 4236 of 2021.

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 no. 2 on bail. The petitioner no. 2 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 Bagaha (Mahila) P.S. Case no. 20 of 2020, 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 Additional District and Sessions Judge VII-cum-Special Judge (POCSO), Bettiah, West Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

