

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66028 of 2021

Arising Out of PS. Case No.-64 Year-2019 Thana- JOGAPATTI District- West Champaran

1. ZAKIR MIAN Son of Late Dhorha Mian Resident of Village - Dihi Dhabelwa, P.S.- Jogapatti, Distt.- West Champaran.
2. Reyazul Mian @ Reyajul Ansari Son of Late Dhorha Mian Resident of Village - Dihi Dhabelwa, P.S.- Jogapatti, Distt.- West Champaran.
3. Javed Ansari Son of Haroon Ansari @ Haroon Mian Resident of Village - Dihi Dhabelwa, P.S.- Jogapatti, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-07-2022 Heard learned counsel for the petitioners and the State.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in a case registered for the offence under sections 363 and 366(A) of the Indian Penal Code and section 4 of the POCSO Act.

As per the allegation in the FIR, co-accused, Dablu Ansari, is said to have taken away the informant's daughter with intention of marriage.

It is submitted by learned counsel for the petitioners that co-accused Dablu Ansari has already been granted pre-



arrest bail by a co-ordinate Bench of this court vide order dated 26.11.2019 passed in Cr. Misc. No. 66052/2019 in view of statement of victim recorded under section 164 Cr.P.C wherein she has categorically stated that Bablu Ansari had not induced her to go with him and she had gone out of her own sweet will.

Having heard learned counsel for the parties and taking into consideration the facts and circumstance of the case specially the statement of victim under section 164 Cr.P.C, the Court is inclined to enlarge the petitioners on bail. The petitioners above named, in the event of their arrest or surrender in the court below within a period of six weeks from today in connection with Yogipatti P.S. Case No. 64 of 2019 are directed to 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 the learned 1st Additional District and Sessions Judge-cum-Special Judge, SC/ST, POCSO Act, Bettiah, West Champaran subject to the conditions as laid down in Section 438 (2) of Criminal Procedure Code.

(Prabhat Kumar Singh, J)

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