

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10189 of 2023

Arising Out of PS. Case No.-1257 Year-2022 Thana- DANAPUR District- Patna

Arman Ansari S/O Sri Firoz Ansari R/o- Imalital, P.S.-Danapur, District-
Patna, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabha Mishra, Advocate

For the Opposite Party/s : Mrs. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
12.11.2022, in connection with Danapur P.S. Case No. 1257 of
2022, corresponding to Special (POCSO) case No. 196 of 2022
F.I.R. dated 11.11.2022 registered for the offences punishable
under Sections 354, 354(A), 354(D), 504 and 34 of the Indian
Penal Code and Section 12 of the POCSO Act.

Allegation against the petitioner is that he has
committed serious offence and was apprehended at the spot
while outraging the modesty of the victim girl aged about 13
years.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the



present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and the statement of the victim girl was recorded under Section 161 of the Cr. P.C. in which she has not stated anything with respect to the petitioner and the statement of the informant was also contradictory to the F.I.R. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 12.11.2022.

Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one in which he is on bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released 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 Sessions Judge-VII-cum-Exclusive Special Court (POCSO Act), Patna in connection with Danapur P.S. Case No. 1257 of 2022, corresponding to Special (POCSO) case No. 196 of 2022, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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