

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35605 of 2023

Arising Out of PS. Case No.-403 Year-2022 Thana- TRIVENIGANJ District- Supaul

MD IBRAN @ MD IMRAN S/O MD SAHABUDDIN @ SHAHAUDDIN
R/O Village-Dubiyahi, P.S. Pipra, Dist.-Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate.

For the Opposite Party/s: Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-07-2023 Heard Mr. Nafisuzzoha, learned counsel for the

petitioner and Mr. Shailendra Kumar, learned Additional

Public Prosecutor appearing for the State.

2. Petitioner apprehends his arrest in connection
with Triveniganj P.S. Case No. 403 of 2022 dated
24.08.2022 registered for the offence punishable under
Sections 366-A, 370, 372, 406/34 of the Indian Penal Code
& Sections 8/12 of POCSO Act.

3. As per the First Information Report petitioner
along with other accused persons abducted the minor
daughter of the informant with oblique purpose.

4. Learned counsel for the petitioner submits
that the allegation against the petitioner is false and



fabricated inasmuch as there was love affair between petitioner and the victim girl. The victim girl was recovered and her statement was recorded under Section 161 and 164 Cr. P.C. in which she has not supported the prosecution story. Referring to impugned order learned counsel submits that the learned ADJ VI-cum-Special Judge POCSO Act, Supaul, has quoted the statement of the victim girl recorded under Section 164 Cr. P.C. in which he has stated that the victim girl has not supported the factum of FIR and has asserted about her love affair and solemnization of marriage with the petitioner.

5. Regards being had to the submission made by the parties and taking into consideration the statement of victim girl recorded under Section 164 Cr. P.C. and the fact that the girl has solemnized marriage with the petitioner, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to



the satisfaction of learned A.C.J.M.-I, Supaul, in connection with Triveniganj P.S. Case No. 403 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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