

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49833 of 2023

Arising Out of PS. Case No.-230 Year-2022 Thana- MOHAMMADPUR District- Gopalganj

SAIMUDDIN ANSARI Son of Md. Sahid Miya Resident of village -
Mohammadpur Lala Tola, P.S. - Mohammadpur, Dist. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sumit Kumar
		Mr. Brajesh Kumar Singh
For the Opposite Party/s :		Mr. Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-09-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 366(A), 504, 34, 376 of the Indian Penal Code and 4/6 of the POCSO Act.

2. The allegation against the petitioner is that he in collusion with other co-accused persons kidnapped the daughter of the informant with an intent to marry her with the petitioner.

3. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He further submits that statement of the victim was recorded u/s 164 Cr.PC in which she has not supported the



prosecution case and has also stated that she and the petitioner have solemnized marriage and she is seven months pregnant. He further submits that a medical board has assessed the age of the victim girl to be about 18-19 years. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that the victim is a minor aged about 17-18 years.

6. Having regard to the facts and circumstances of the case as the victim has not supported the prosecution case in her statement recorded u/s 164 of Cr.PC, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Mohammadpur P.S. Case No.230 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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