

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53798 of 2023**

Arising Out of PS. Case No.-584 Year-2022 Thana- PIRO District- Bhojpur

=====

Jainuddin Ansari @ Mistar, S/O Bahaw Miya @ Azim Ansari, R/O Village-  
Keshawa, P.S.- Piro, Dist- Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Ravindra Kumar, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

=====

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      23-08-2023                      1. Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner apprehends his arrest in  
connection with Piro P.S. Case No. 584 of 2022 dated  
27.10.2022 registered for the offence punishable under Sections  
363, 366 and 120B of the Indian Penal Code.

3. The main submissions advanced by learned  
counsel for the petitioner are that the so-called victim has been  
recovered and she recorded her statement under Section 164 of  
Cr.P.C. before the Judicial Magistrate, in which she denied the  
allegation made in the FIR and she accepted her love affair with  
this petitioner denying to the allegation of kidnapping and she  
stated that her marriage was fixed at some other place for which  
she was not ready and due to the said reason she fled away from



her parent's house and went to Delhi to her sister. It is further submitted that as per the FIR, the victim's age is stated to be 17.5 years while the victim herself disclosed her age as 19 years before the Judicial Magistrate and the said Magistrate assessed her age between 18 and 19 years which clearly shows that the victim was a major girl at the time of commission of the alleged occurrence. It is further submitted that the petitioner is a young person having fair and clean antecedent.

4. Learned APP for the State has opposed the prayer for bail.

5. Considering the above submissions and mainly the victim's statement recorded under Section 164 of Cr.P.C. as discussed in the order impugned as well as mentioned in para 10 of this petition and also taking into account the victim's age as assessed by the concerned Judicial Magistrate while recording her statement under Section 164 of Cr.P.C. and also, the petitioner's fair and clean antecedent, I am inclined to grant anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like



amount to the satisfaction of the Court concerned in connection  
with Piro P.S. Case No. 584 of 2022, subject to the condition as  
laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

annu/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

