

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55297 of 2022

Arising Out of PS. Case No.-712 Year-2021 Thana- MAJHAULIA District- West Champaran

ASLAM ANSARI S/o Kanjan Ansari @ Kabaljan Ansari R/o Village-
Majhariya, Shekh, P.S.- Majhauria, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

4 18-04-2023 Heard the learned counsel for the petitioner as well as

Mr. Shailendra Kumar, the learned Additional Public Prosecutor

for the State.

The petitioner is seeking regular bail in connection
with Majhauria P.S. Case No. 712 of 2021, registered for
offence punishable under sections 366A/363 of the Indian Penal
Code and section 8 of the POCSO Act.

At the very outset, the learned counsel for the
petitioner has submitted that there is allegation on the petitioner
of kidnapping of a minor daughter of the informant, but in her
statement under Section 164 of the Code of Criminal Procedure
(hereinafter referred to as the Code), her age has been assessed
as 20 years by the learned Magistrate and the alleged victim has



stated in her statement under Section 164 of the Code that she has solemnized marriage with the petitioner and she wants to reside with him.

On the other hand, Mr. Shailendra Kumar, the learned APP though has opposed the prayer for bail, but fairly conceded that in her statement under Section 164 of the Code, the alleged victim has stated that she has solemnized marriage with the petitioner.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge-POCSO, Bettiah, West Champaran in connection with Majhauria P.S. Case No. 712 of 2021, subject to the following conditions:-

- (1) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (2) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for



cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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