

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57326 of 2023

Arising Out of PS. Case No.-47 Year-2019 Thana- KANGLI District- West Champaran

1. Faiyaz Ansari @ Faiyaz Alam S/O Jasmuddin Ansari R/O Village-Bhediharwa, P.S- Kangli, Distt.- West Champaran.
2. Jasmuddin Miyan @ Jasmuddin Ansari S/O Late Kitab Miyan R/O Village-Bhediharwa, P.S- Kangli, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Kangli P.S. Case no. 47 of 2019 instituted for the offence under Sections 363, 366A of the Indian Penal Code which was earlier rejected by this Court on 9.3.2022 passed in Cr. Misc. No. 29275 of 2021.

As per allegation in the FIR, minor sister of the informant had gone out for natural call in morning at 4'o clock in the meantime, five accused persons including the petitioners kidnapped her with bad intention.



Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. No one has kidnapped her rather out of her own sweet will, she left her house and after her return she has given tutored statement u/s 164 Cr.P.C.. Though, she has not whispered the name of the petitioners. After investigation, police found the case to be false against the petitioners and submitted final form against them but differing with the same, court below took cognizance. Petitioners are not directly related to co-accused Shamshad Miyan, but being the petitioner. 1 cousin and petitioner no. 2 are uncle of main accused Shamsad Miyan, they have falsely been implicated in the case.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. Both are directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Kangli P.S. Case no. 47/2019, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand) each with two sureties of the like amount each to the



satisfaction of learned Special Judge POCSO cum-ADJ VII,
Bettiah, West Champaran subject to the conditions as laid down
under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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