

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55884 of 2022

Arising Out of PS. Case No.-288 Year-2022 Thana- GOVINDGANJ District- East
Champaran

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SARIK ANSARI @ SARIK KHAN @ SARIK MIYAN Son of Manjur Alam
@ Manjur Mian Resident of village- Rajepur, P.S- Govindganj, District- East
Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh

For the Opposite Party/s : Mr.Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-02-2023 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

The petitioner has prayed for bail in a case registered for
the offence punishable under sections 363, 365, 366, 366(A) of the
Indian Penal Code and section 8 of the POCSO Act.

Prosecution case relates to abduction of minor daughter of
the informant. During search, he came to know from villagers that
her daughter was being taken by the petitioner and his relative Jamil
Miyani by a motorcycle. When the informant asked about his
daughter to the family members of the petitioner, when they abused
and threatened him.

It is submitted by learned counsel for the petitioner that
petitioner has been falsely implicated in this case. As mentioned in
para 54 of the case diary, doctor has opined victim's age as 18-19
years. In her statement recorded u/s 164 Cr.P.C., she has made
specific allegation of committing wrong against Mukul who has
established physical relation after intoxicated her and the petitioner



by mixing obnoxious tablet in water. Petitioner is also victim of intoxication by the main accused Mukul. She has not whispered the name of the petitioner for any wrong doings. In fact, victim girl has voluntarily gone with the petitioner so no case of kidnapping has been made out against the petitioner. Petitioner is languishing in judicial custody since 13.06.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that petitioner has taken away the victim girl .

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 6th Additional Sessions Judge-cum-Special Judge POCSO, Motihari, East Champaran, Bihar in connection with Govindganj P.S. Case No. 288 of 2022.

(Sunil Kumar Panwar, J)

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