

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62523 of 2022

Arising Out of PS. Case No.-86 Year-2022 Thana- MAJHAULIA District- West Champaran

ASLAM ANSARI @ MUNNA S/o Kanjan Ansari @ Kabaljan Ansari
Resident of village- Majhariya Shekh, P.S.- Majhauria, District- 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.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 13-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. According to the FIR, earlier a case was registered against the petitioner in Majhauria P.S. Case No. 712 of 2021 for abduction of the victim girl. But police recovered the girl and handed over to the informant. Thereafter, on 13.1.2022 the petitioner again forcibly took away the victim by putting her in a Bolero Car.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to dirty village politics. It is also submitted that in Majhauria P.S. Case No. 712 of 2021



the statement of victim has been recorded u/s 164 of the Cr.P.C. in which she stated that she solemnized marriage with the petitioner and she wants to reside with him. And on the basis of which, the petitioner has already been granted bail on dt. 18.4.2023 in Majhailia P.S. Case No. 712 of 2021. Thereafter, the present case has been lodged against the petitioner after delay of 21 days from alleged occurrence which shows there is ill motive of the informant. It is further submitted that the petitioner is languishing in judicial custody since 11.2.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Majhailiya P.S. Case No. 86 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-VI-cum-Special Judge, POCSO, Bettiah at West Champaran.

(Sunil Kumar Panwar, J)

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