

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60208 of 2023**

Arising Out of PS. Case No.-101 Year-2023 Thana- YADOPUR District- Gopalganj

SAIF ALI ANSARI @ SAIF ALI Son of Diljan Ansari R/o vill - Jagiri Tola,
P.S. - Jadopur, Distt. - Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 18-10-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Yadopur (Jadopur) P.S. Case No. 101 of 2023 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 325, 354, 354C, 354D, 504 and 506 of the Indian Penal Code and Sections 8/12 of the Protection of Children from Sexual Offences Act (in short 'POCSO Act'). He has got no criminal antecedent.

3. As per the prosecution story, the petitioner used to do indecent behaviour with the victim girl and threatened her of throwing acid if she did not marry him. It is alleged that on 04.05.2023 at around 06:00 P.M., the petitioner clicked inappropriate pictures of the victim girl and when the victim's mother went to the house of the petitioner to make complaint about this, then the parents of the petitioners abused them and threatened them to kidnap her



daughter. On 05.05.2023 at about 05:00 P.M., Saif Ali (this petitioner), Saheb Ansari and Nasim Ansari along with 4-5 unknown accused persons variously armed entered into the house of the victim girl and tried to kidnap her. It is alleged that the Saheb Ansari assaulted on the head of the mother of the victim girl with farsa due to which she sustained head injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the victim and her mother both had appeared before the court below and submitted that a peaceful relationship has been restored between both the sides and now the victim's side has no complain if the petitioner is granted privilege of anticipatory bail.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it appears from perusal of the impugned order of the learned 6th Additional Sessions Judge-cum-Special Judge POCSO, Gopalganj that the victim and her mother both had appeared before the court and submitted that a peaceful relationship has been restored between both the sides and now the victim's side has no complain if the petitioner is granted privilege of anticipatory bail, this Court directs that in case of his arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Yadopur (Jadopur) P.S. Case No. 101 of 2023 on



furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Gopalganj subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. And further condition that the petitioner shall not either himself or through anybody else approach the victim girl or her family members and in case it is found that he is indulged in threatening of any of the witnesses, it will be open for the informant to bring it to the notice of learned court below for an appropriate action.

9. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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