

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59008 of 2022

Arising Out of PS. Case No.-96 Year-2022 Thana- CHANDRADIP District- Jamui

Sonu Ansari, Son Of Late Md. Rustam Ansari, R/O Village- Sagma, P.S.-
Chandradeep, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Chandradeep P.S. Case No. 96 of 2022 registered for the alleged offences under Section 366(A)/34 of the Indian Penal Code and Section 8 of the POCSO Act.

As per prosecution case, the grand daughter of the informant went missing and the informant named the petitioner along with other co-accused persons, who took away his grand daughter with intention of marriage.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner has not committed any offence. The petitioner is the younger brother of co-accused Md. Irshad Ansari and for



this reason he has been made accused in this case. The statement of the victim girl was recorded under Section 164 Cr.P.C. as well as before the learned Trial Court as prosecution witness no.3 and in both the statements she has not supported the prosecution case. Though the petitioner has stated about the co-accused Md. Irshad Ansari taking her away but it appears to be consensual. The victim girl has not stated anything about any sexual assault in her statement and she refused to undergo medical examination. The petitioner is in custody since 13.06.2022 charge sheet has already been submitted. Petitioner is having clean antecedent.

Learned APP opposes the prayer for bail submitting that petitioner is also involved in the occurrence as it is evident from the FIR. Learned APP further submits that other co-accused persons are still absconding as it appears from the order of the rejection of the bail of this petitioner by the learned trial court.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there appears no specific allegation against this petitioner for any wrongful act and also considering the clean antecedent of the petitioner along with his period of custody and



submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court of Additional District Judge-1st, Jamui in connection with Chandradeep P.S. Case No. 96 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) The petitioner will not in any way contact either the victim or any of the witnesses and tamper with the evidence in any manner.
- (iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

