

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64141 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- CHOUTARWA District- West Champaran

Salman Ansari Son of Md. Nek Mohammad Ansari R/o vill - Tiwari Tola,
ward no. 08, P.S. - Bathwriya, Distt. - West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-12-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Chautarwa Bathwariya (O.P.) P.S. Case No. 52 of 2023 registered under sections 376, 312, 506 and 34 of the Indian Penal Code and section 4 of the POCSO Act.

3. As per the prosecution case, the informant states that the petitioner, on the pretext of marriage, established physical relations with her. She further states that on her becoming pregnant, he got the same aborted.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. There was love affair between the parties and the relationship was consensual. Learned counsel for the petitioner refers to the deposition of the witness from a certified copy which is produced and is taken on record.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the contents of the deposition of the informant as is evident from the certified copy of the same, the petitioner not having any criminal antecedent and having remained in custody since 19.2.2023, the Court directs the petitioner to be enlarged on bail in connection with Chautarwa Bathwariya (O.P.), P.S. Case No. 52 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-VIIth-cum-Special Judge, POCSO, Bettiah, West Champaran on the following conditions:

(i) One of the bailors of the petitioner shall be either his father or his mother;

(ii) The petitioner shall remain physically present in Court on each date of the trial and shall co-operate in the trial.

(Partha Sarthy, J.)

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Bibhash/-

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