

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62347 of 2023

Arising Out of PS. Case No.-223 Year-2023 Thana- BAIRIYA District- West Champaran

RAHAMTULLAH ANSARI S/o- JALIL ANSARI Village- Bairiya Tiwari
Tolla Ps- Bairiya Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 366A of the Indian Penal Code and Section 12 of the POCSO Act.

As per allegation in the F.I.R., while the daughter of the informant had gone outside the house to attend the call of nature, the petitioner took her away by alluring her for the purpose of marriage.

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. The victim girl was recovered and her statement was recorded under Section 164 of the Cr.P.C., which is annexed as Annexure-



2, wherein victim stated that she was in contact with this petitioner since one year and she went with him with her own sweet will and living together at Bettiah in a rented room. She has not stated about any physical assault and physical misbehave against the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 22.07.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bairiya P.S. Case No. 223 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VII-cum Special Judge (POCSO), West Champaran, Bettiah.

(Sunil Kumar Panwar, J)

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