

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63571 of 2023

Arising Out of PS. Case No.-385 Year-2023 Thana- MAJHAULIA District- West Champaran

Samim Ansari Son Of Ahmad Mia @ Ahmad Hussain Ansari @ Ahmad Miya
R/O Village Khatiya, Indu Ward No. 2, P.S - Majhauriya, Distt. - West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rishabh Mishra

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-12-2023 Heard learned counsel for the petitioner, informant
and learned APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 376, 506/34 of the
Indian Penal Code and Section 4 of the POCSO Act.

3. The allegation against the petitioner is of
committing rape upon the informant on the false pretext of
marriage.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. The statement of the victim girl has been
recorded u/s 164 of the Cr.P.C. in which she stated that she fall
in love with this petitioner. The victim girl does not whisper



about the complicity of the petitioner in her statement. He further submitted that the victim girl wanted to marry forcefully with the petitioner so as to pressurize him, then she filed this false case against him after one year of occurrence. He further submitted that both the parties are belong to same religion. He is languishing in judicial custody since 19.07.2023.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Majhauilya P.S. Case No. 385 of 2023.

(Sunil Kumar Panwar, J)

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