

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78575 of 2023

Arising Out of PS. Case No.-191 Year-2023 Thana- CHANPATIA District- West Champaran

Firoj Ansari Son Of Islam Ansari @ Islam Miyan Resident Of Village -
Bherihari, P.S. - Adapur, District - East Champaran (BIHAR)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Raj, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 366-A of the Indian Penal Code and Sections 8/12 of the POCSO Act pending in the learned court below.

3. As per the prosecution case, there is allegation against the petitioner that he entered into the house of the informant and took away the minor girl of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is no eye witness in this case. He submits that the statement of the victim was recorded under Section 161 Cr.P.C. in which she stated that she had been talking with the petitioner from the last five years and they were in



courtship and the petitioner asked her to come with him so that they both can solemnize the marriage and as the parents of the victim wanted to fix her marriage with someone else she also fled with him to Mumbai and there they both had also established physical relationship with each other. He further submits that as per the school certificate the age of the victim is 17 years and 3 months and there is no specific overt act against the petitioner to sexual assault the victim. He submits that there is compromise between the parties (compromise petition enclosed in Annexure-2 of the bail petition). He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail.

6. Considering the aforesaid facts and circumstances and the fact that the age of the victim is 17 years and 3 months, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is



pending/Successor court, in connection with Chanpatia P.S.
Case No.191 of 2023, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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