

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1221 of 2023

Arising Out of PS. Case No.-76 Year-2022 Thana- RAMPUR CHAURAM District-
Jehanabad

MAKSUD ANSARI Son of Rasid Ansari R/V- Ranapur, P.s- Rampur
Chauram Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Adv.
For the Opposite Party/s : Mrs. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
24.07.2022 in connection with Rampur Chauram P.S. Case No.
76/2022, F.I.R. dated 22.07.2022, for the offences punishable
under Sections 366(a), Section 376 of the IPC, Section 4 of
POCSO Act and Sections 9/10 of Prohibition of Child Marriage
Act.

According to prosecution case, the petitioner is alleged
to have kidnapped the minor daughter of the informant while
she went for coaching.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been



implicated in the present case merely on the basis of suspicion. He further submits that the statement of the victim was recorded under Section 164 Cr.P.C., in which, she has categorically stated that the petitioner has not kidnapped her rather she herself went to Mumbai and the petitioner has no role in the alleged occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 24.07.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge (POCSO) Act, Jehanabad in connection with Rampur Chauram P.S. Case No. 76/2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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