

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10229 of 2024

Arising Out of PS. Case No.-161 Year-2020 Thana- SHYAMPUR BHATHAN District-
Sheohar

=====

JIYAULLAH ANSARI @ MD. JIYAULLAH ANSARI S/o Shamshul Ansari
R/o Village-Phoolkahan, P.S.-Shyampur Bhataha, District-Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar
For the Opposite Party/s : Mr. Surendra Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 29-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in connection with
Shyampur Bhatha P.S. Case No.161/2020 registered for the offence
punishable under Sections 120(B), 363, 366(A), 376 of the Indian
Penal Code & Section 4 of POCSO Act.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the present case by the informant with an allegation that
his minor daughter was kidnapped and raped by Md. Ek Lakh Ansari.
It is next submitted that though allegation of rape is not against the
petitioner but then allegation of giving threat is there. It is next
submitted that the statement of the victim was recorded under section
164 of the Cr.P.C. (Annexure-3), wherein she has not even remotely



supported the case of the prosecution rather she stated that she on her own volition had gone to meet Md. Ek Lakh Ansari as her parents against her wishes had fixed her marriage. It is also submitted that there is no whisper with respect to the petitioner herein in the statement of the victim recorded under section 164 of the Cr.P.C.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-cum-Special Judge-1 or concerned Court, Sheohar in connection with Shyampur Bhatha P.S. Case No.161/2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

