

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12128 of 2024

Arising Out of PS. Case No.-402 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

Md. Ansari Darjee (Male), aged about 38 years, Son of Md. Shammad Darjee, Resident of Village- Baligarh, P.S. Runnisaidpur, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Pushpendra Kumar Singh and Mrs. Divya Bharti, Advocates
For the Opposite Party	:	Mr. Ram Bilash Roy Raman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 06-05-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Runnisaidpur P.S. Case No. 402 of 2023 dated 02.08.2023 registered for the offences punishable under Sections 363 and 366A/34 of the I.P.C.

3. As per the prosecution case, the petitioner and the co-accused are alleged to have kidnapped the minor daughter of the informant for the purpose of illegal act.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R., but the police has arrested the petitioner from his house



only because he is the father of the co-accused who are named in the F.I.R. It is submitted that the occurrence took place on 31.07.2023 as to when the F.I.R. has been lodged on 02.08.2023 and delay in lodging of the F.I.R. has not been explained by the prosecution. It is further submitted that earlier the informant had also lodged Runnisaipur P.S. Case No. 241 of 2022 under Sections 366A/34 of the I.P.C. and Section 8 of the POCSO Act against the petitioner and others. Subsequently, the informant was recovered and in her statement recorded under Section 164 Cr.P.C. she had denied her kidnapping by any one and refused for her medical examination and accordingly, the petitioner was granted bail vide Cr. Misc. No. 48113 of 2022 under order dated 09.02.2023. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 14.10.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional



Sessions Judge-VI-cum-Special Judge (POCSO Act), Sitamarhi
in connection with Runnisaidpur P.S. Case No. 402 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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