

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14288 of 2024

Arising Out of PS. Case No.-227 Year-2022 Thana- PARIHAR District- Sitamarhi

Jahid Ansari Son Of Alam Ansari @ Md. Alam Ansari Resident Of Village -
Mahadeo Patti, P.S. - Parihar, District – Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Zaki Haider, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-03-2024 Heard Mr. Zaki Haider, learned counsel appearing
on behalf of the petitioner and Mr. Dr. Kumar Uday Pratap,
learned APP appearing on behalf of the State.

2. The petitioner apprehend his arrest in connection
with Parihar P.S. Case No. 227 of 2022 registered under
Sections 363, 366(A) and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the
informant reported that his minor daughter, was kidnapped by
the petitioner and his aid named in the FIR, with an intention to
marry.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner is innocent and he has falsely
been implicated in the present case. The victim has recorded her
statement under Section 164 of Code of Criminal Procedure, in
which she has not supported the involvement of the petitioner in



the alleged kidnapping. The petitioner has clean antecedent. On these grounds, petitioner deserves to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, considering the specific case of the parties and the statement of the victim (the daughter of the informant) recorded under section 164 of the Code of Criminal Procedure, which does not reveal that the petitioner was the one, who kidnapped the victim with an intention to marry with her, rather the victim has falsely alleged the kidnapping by stating that she had herself run-away, due to the fact that her father/informant had tried to get her married with one elderly man, which was objected by her, the District Court is directed to examine the statement of the victim recorded under section 164 of the Code of Criminal Procedure and in case, the District Court finds that she has not supported the allegation made in the FIR, the petitioner is directed to be released on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, to the satisfaction of learned A.D.J.-VI,



POCSO, Sitamarhi in connection with Parihar P.S. Case No.227
of 2022, subject to the condition as laid down under Section
438(2) of the Cr.P.C.

Ashishsingh/-

(Purnendu Singh, J.)

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