

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31057 of 2024

Arising Out of PS. Case No.-444 Year-2023 Thana- BELHAR District- Banka

Istiyak Ansari @ Istiyak Mian Son Of Sahjad Miyan Resident Of Village -
Chirauta, Police Station - Belhar, District - Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vinay Choudhary Son Of Late Shiv Narayan Choudhary Resident Of Village
- Chirauta, Police Station - Belhar, District - Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner apprehends his arrest in connection with
Belhar P.S. Case No. 444 of 2023 registered under Sections 366,
34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per prosecution case, this petitioner with the help of
other accused persons took away the minor daughter of the
informant on pretext of marriage.

4. Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been
implicated in the present case merely on suspicion and ill
motive. Further submission is that on perusal of the statement of



the victim recorded under Section 164 Cr. P.C. it would be evident that this is not a case of kidnapping or abduction. The victim has clearly stated that she herself fled away from her house with the petitioner and went to Howrah. The petitioner has got no criminal antecedent.

5. Having considered the facts and circumstances of the case as well as the victim’s statement recorded under Section 164 Cr. P.C., let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI-cum-Special Judge POCSO, Banka in connection with Belhar P.S. Case No. 444 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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