

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37881 of 2024

Arising Out of PS. Case No.-96 Year-2022 Thana- CHANDRADIP District- Jamui

Irshad Ansari @ Md Irshad Ansari Son of Rustam Ansari Resident of Village -
Sagma, P.S. - Chandradeep, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

For the Opposite Party/s : Md. Ataur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
POCSO Case No. 40 of 2023 arising out of Chandradeep P. S.
Case No. 96 of 2022 in a case registered for the offences
punishable under Sections 366(A) /34 of the Indian Penal Code
and Section 8 of the Protection of Children from Sexual
Offences Act.

3. As per the prosecution case, granddaughter of
informant went missing on 06.06.2022. During search,
informant came to know that this petitioner along with other
accused persons took away his granddaughter for the purpose of
marriage.

4. Learned counsel for the petitioner submits that the
victim in her statement recorded under Section 164 of Cr.P.C.
has denied the prosecution case and has categorically stated that



she went out from the house on her own sweet will and eloped with the petitioner. Victim has not alleged anything wrong about the petitioner and she has also refused to undergo medical examination. Petitioner is in custody since 08.09.2023 and charge-sheet has also been submitted.

5. Learned A.P.P. for the State vehemently opposed the bail application and submitted that petitioner is named in the F.I.R. and he along with other accused persons kidnapped minor granddaughter of informant.

6. Having regard to the facts and circumstances of the case, statement of the victim recorded under Section 164 of Cr.P.C. and since there is no allegation of sexual assault against the petitioner and period of custody, the bail application is allowed. Let the above named petitioner 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 Additional Sessions Judge I, Jamui in connection with POCSO Case NO. 40 of 2023 arising out of Chandradeep P. S. Case No. 96 of 2022.

(Prabhat Kumar Singh, J)

Navya/-

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

