

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38809 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- CHANDRADIP District- Jamui

Md. Taj Ansari Son of Md. Ashik Ansari @ Fuddu Ansari Resident of Village
- Sahora, P.S.- Chandradeep, District - Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramvriksh Yadav Son of Late Chedi Yadav Resident of Sahora P.S.
Chandradeep Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Satya Prakash Parasar, Advocate
For the Opposite Party/s	:	Mr. Murli Dhar, APP
For the Informant	:	Mr. Pramod Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 23-10-2024 Heard learned counsel for the petitioner, learned APP
for the State, learned counsel for the informant and perused the
case diary.

2. The petitioner seeks bail in connection with
Chandradeep P.S. Case No. 48 of 2024 instituted for the
offences under Sections 363, 366A, 34 of the Indian Penal
Code and Section 4 of the POCSO Act.

3. Allegation against the petitioner and other co-
accused persons is that they have enticed away the daughter of
the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel for the petitioner submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has specifically denied the sexual assault and stated that she has left her home on her own free will and no enticement has been made by any of the accused persons. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.03.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the statement of the victim recorded under Section 164 of the Cr.P.C. as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chandradeep P.S. Case No. 48 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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