

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44510 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- KURTHA District- Jehanabad

Md. Nabab Ansari @ Nawab Ansari S/O Late Israil Ansari @ Md. Israil Ansari R/O Village-Dhondhara,P.S.-Kurtha, Distt-Arwal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sukdev Paswan S/O Late Etvar Paswan R/O Village-Gangapur,P.S.-Kurtha,Distt-Arwal

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner, the State and the Informant.

2. The petitioner is in custody in connection with Kurtha P.S. Case No. 27 of 2024 for the offence punishable under section 366(a) of the Indian Penal Code and Section 4 of the POCSO Act lodged on 14.01.2024.

3. As per the prosecution story, the informant alleged that his minor daughter was taken away by the petitioner earlier also but she returned thereafter. On the fateful day, when they had been to the field, the petitioner came again and took away his daughter for the purpose of solemnization of marriage, as he failed to locate her daughter, the FIR.



4. Subsequently, the victim girl returned and she narrated her statement in which, she claimed to have gone on her own and further claimed that they were in relationship and he did not committed anything wrong.

5. Though, the learned counsel for the informant who was noticed earlier tried to defend the prosecution story, learned counsel for the petitioner submits that only because he is in relationship with the girl, two cases have been lodged by the informant.

6. Taking into account the aforesaid facts as also the period of custody (15.01.2024 [paragraph-17 of the petition]) and the girl has contradicted the prosecution story, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ADJ-VI, cum Special POCSO Court, Jehanabad, in connection with Kurtha P.S. Case No. 27 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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