

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62822 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- DERNI BAZAR District- Saran

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Halim Ansari @ Md. Halim Ansari, aged about 25 years (Male), Son of
Allouddin, Resident of Village- Bharpura, P.S.- Sonapur, District- Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Nalin Kumar, Advocate
For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 07-10-2024 This matter has been listed under the heading ‘For
Orders (on office notes)’.

2. A supplementary affidavit has been filed by the
learned counsel for the petitioner, in course of the day. Let it be
kept on the record.

3. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

4. The petitioner seeks bail in connection with Derni
P.S. Case No. 85/2024 dated 25.04.2024 registered for the
offences punishable under Section 366A read with Section 34 of
the I.P.C.

5. As per the prosecution case, the petitioner and the
other co-accused persons are alleged to have kidnapped the



minor niece of the informant for the purpose of marriage.

6. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the alleged occurrence took place on 23.04.2024 as to when the F.I.R. has been lodged on 25.04.2024 after a lapse of two days and the delay in lodging of the F.I.R., no explanation has been given by the prosecution. There was love affair between the parties. Learned counsel for the petitioner by filing a supplementary affidavit on behalf of the petitioner has submitted that the victim in her statement recorded under Section 164 of the Cr.P.C., has stated that she loves the petitioner and both of them used to talk for two years and she of her own sweet will went with the petitioner to Sikandrabad and performed marriage. No one had kidnapped her. She was not forced/seduced to have illicit relationship with any other person. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 07.05.2024.

7. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

8. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above



named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Saran at Chapra in connection with Derni P.S. Case No. 85/2024 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

9. The application stands allowed.

(Chandra Prakash Singh, J)

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