

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64548 of 2023**

Arising Out of PS. Case No.-227 Year-2022 Thana- JOGAPATTI District- West Champaran

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DAUD ANSARI @ DAWOOD ANSARI SON OF LATE RASHID MIYA  
RESIDENT OF VILLAGE- RAMPUR BAHELIYA, PS- YOGAPATTI,  
DISTT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

4      27-02-2024                      Heard the parties.

2. The petitioner is apprehending his arrest in connection with Jogapatti P.S. Case No. 227 of 2022 for the offence under sections 363, 366A, 504/34 of the I.P.C. and section 12, POCSO Act lodged on 24.04.2022 by the informant, Kolai Yadav.

3. As per the prosecution story, the informant alleged that his daughter had gone outside to attend the call of nature when this petitioner took her away for the purpose of marriage. He went to the petitioner's house where his parents abused him. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the girl moved out of her home at her own and as per the statement



recorded by her under section 164 of the Cr.P.C., she requested this petitioner to help her in having a room at Kishanganj. The statement of the girl under section 164 of the Cr.P.C. is on record pursuant to direction issued by a co-ordinate Bench on 20.12.2023.

5. Learned APP opposes the prayer stating that the allegation is against this petitioner.

6. Taking into account the submissions put forward by the parties as also the statement of the girl under section 164 of Cr.P.C., the petitioner do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Special Judge, POCSO-cum-ADJ-VI, Bettiah, West Champaran, in connection with Jogapatti P.S. Case No. 227 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member 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 appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) 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;

(v) 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)**

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