

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53899 of 2025

Arising Out of PS. Case No.-82 Year-2025 Thana- KAKO District- Jehanabad

Imtiyaz Ansari @ Imtayaz Ansari S/O Jahiruddin Ansari R/O Village-
Sakaldipa (Sakaldeep), P.S- Panki, Distt.- Palamu (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ms. X D/O Anil Yadav R/O Village and P.O- Bharthua, P.S- Kako (Bhelawar), Distt.- Jehanabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Adv

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 18-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with Kako (Bhelawar) P.S. Case No. 82 of 2025 registered for the offence under Sections 137(2) and 96 of the BNS.

3. The petitioner is named in the F.I.R. and is in custody since 31.03.2025.

4. As per FIR, petitioner kidnapped minor cousin sister of informant aged about 16 to 17 years for the purpose of marriage and thereafter established physical relationship with her.

5. Learned counsel appearing on behalf of the petitioner submitted that admittedly cousin sister of informant/victim was friend of petitioner and his friendship took shape out of social



media acquaintance. It is submitted that even victim while recording her statement under Section 183 of the BNSS failed to name this petitioner, rather she stated that she established physical relation with unknown person out of her own sweet will. It is also pointed out that despite custody of petitioner for about 8 months even victim could not be examined as provisioned under Section 35(1) of the POCSO Act. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP while opposing the prayer of bail submitted that allegation of rape is specific against this petitioner.

7. None appeared on behalf of informant to join the present Court proceedings.

8. In view of aforesaid factual and legal submission and by taking note of fact as even victim failed to examine within provisioned timeline as provided under Section 35(1) of the POCSO Act, where victim even failed to name this petitioner while recording her statement under Section 183 of the BNSS, where she categorically stated that she established physical relation with unknown stranger out of her own sweet will, coupled with fact that



investigation of this case already completed where petitioner remains in custody since 31.03.2025, accordingly petitioner above named, is directed to be released on bail in connection with Kako (Bhelawar) P.S. Case No. 82 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum Special Judge (POCSO), Jehanabad/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J.)

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