

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66476 of 2024

Arising Out of PS. Case No.-856 Year-2023 Thana- SARAIYA District- Muzaffarpur

Ashik Ansari @ Ashique Ansari S/o Israfil Ansari R/o Village- Basghat
Gavandra, P.S.-Chakia, District- East Champaran, Motihari

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vibha Devi W/O - Vinod Sahni R/O Of Vill.- Basaitha Basantpur, P.S.-
Saraiya , Dist-Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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

ORAL ORDER

6 05-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Saraiya
P.S. Case No. 856 of 2023 instituted for the offences under
Sections 363, 366A/34 of the Indian Penal Code.

3. Accusation against the accused persons including
the petitioner is of kidnapping the daughter of the informant.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
specific overt act is alleged against the petitioner. Learned
counsel further submitted that victim in her statement recorded
under Section 164 of the Cr.P.C. has not whispered anything



against this petitioner. Learned counsel further submitted that victim left her house on her own free will and this petitioner never gave any threat or compulsion to the victim. Learned counsel further submitted that victim has even refused to undergo medical examination. It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.03.2024 and has one 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 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 Saraiya P.S. Case No. 856 of 2023, 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.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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