

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71126 of 2024

Arising Out of PS. Case No.-123 Year-2024 Thana- CHANPATIA District- West Champaran

Aftab Ansari @ Shahrukh Ansari, S/o Munna Ansari, R/o Village-
Chanpatiya, Ward No.7, P.S.- Chanpatiya, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krishnkant, S/o Chandirka Mishra, R/o village- Chanpatiya, Marwari
Dharmshala, ward no. 2 , P.S.- Chanpatiya, Dist- west Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 27-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection
with Chanpatiya P.S. Case No. 123 of 2024 registered for the
offence punishable under Sections 341, 323, 366-A, 504, 506,
376/34 of the Indian Penal Code and Sections 4 and 6 of the
POCSO Act.

3. The case of the prosecution is that the minor
daughter of the informant went out of the home on the pretext of
collecting her T.C. from School. When she did not return for a
considerable time, family members started searching her. They
came to know that the petitioner has enticed and kidnapped her.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It is further submitted that during course of investigation, the victim was recovered and she has given her statment under Sections 164 and 161 of the Cr.P.C. as well. In her statement under Section 161 of the Cr.P.C., she has stated that she was in relationship outside marriage with the petitioner and that she had fled away with the petitioner with her own will. It is also submitted that she went to the different places with the petitioner and they live their life husband and wife. In her statement under Section 161 of the Cr.P.C., she has given similar statements. The victim has denied to undergo medical examination of her internal parts. Her medical examination was conducted only for the purpose of determination of age. In the F.I.R. itself, the age of the victim is written as 17 years. Petitioner is languishing in judicial custody since 08.05.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO-cum-A.D.J.-VI, West Champaran, Bettiah in connection with Chanpatiya P.S. Case No. 123 of 2024.

(Ashok Kumar Pandey, J)

lata/-

U		T	
---	--	---	--

