

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76922 of 2024

Arising Out of PS. Case No.-86 Year-2024 Thana- PUNAURA District- Sitamarhi

Murtuza, Son of Md. Jon Rai @ Md. Jon Ansari, Resident of village- Ansari
Road Rajopatti, PS -Sitamarahi, District -sitamarahi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Avinash Kumar, Son of Madan Kumar, Resident of village- Rampur Parori
east, Ward no. 15, P.S.- Punaura, District- Sitamarhi

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 18-01-2025 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection with
Punaura P.S. Case No. 86 of 2024 registered for the offence
punishable under Sections 363, 366(A) and 34 of the Indian Penal
Code and Section 8 of the POCSO Act.

3. The case of the prosecution is that two sisters of the
informant were missing from the house. When the mobile number
of the father of the informant was checked by the informant, it
revealed that they were in talking terms with one Sameer Ansari
on instagram.

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. He is father of



the co-accused Sameer not Sameer Ansari. During course of investigation one of the victims namely, Neha Kumari was recovered and her statement was recorded u/s 164 of Cr.P.C. wherein she has stated that she has gone to meet Sameer. Sameer Khan took her to Sitamarhi and from there anyhow she managed to escape. From prusal of the case diary and the statement of the victim, it is clear that the petitioner is only the father of Sameer. There is no any specific allegation or statement against him. He is having criminal antecedent of one case and in that case he is on bail. He is languishing in judicial custody since 11.07.2024.

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

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 Additional Sessions Judge-VI-cum-Special Judge (POCSO Act), Sitamarhi in connection with Punaura P.S. Case No. 86 of 2024.

(Ashok Kumar Pandey, J)

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