

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80884 of 2024

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

Munna Ansari @ Md. Sabbir son of Abdul Guffar R/o Village- Rajopatti,
(Ward no. 17), Ansari Road, P.S. and Distt- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Avinash Kumar S/o Madan Kumar R/o Vill- Rampur Parori, East Ward No. 15, P.S.- Punaura, Distt- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ranjeet Kumar Mishra, Advocate
For the Opposite Party/s :	Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 17-06-2025 Heard Mr. Ranjeet Kumar Mishra, the learned counsel appearing on behalf of the petitioner and Mr. Damodar Prasad Tiwary, the learned Additional Public Prosecutor for the State.

2. The learned counsel for the Informant had not appeared yesterday when this case was taken up and the case was adjourned for today, however, even today, the counsel for the informant is not present.

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



4. As per the prosecution case, the informant, who happens to be the brother of the victim, has alleged that his two sisters were missing from the house. Despite hectic search, they could not be located and it was alleged that the named accused persons including the petitioner, had kidnapped his sisters.

5. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and no specific allegation of overt act has been alleged against him. The learned counsel further submits that during the course of investigation, the victim, namely, Neha Kumari in her statement recorded under Section 164 Cr.P.C., has not stated anything specific about the petitioner and from perusal of the case diary, it would be evident that the petitioner happens to be the father of Sameer Ansari and there is no specific allegation of overt act made against him. It has lastly been submitted that the petitioner carries clean antecedent and is in custody since 1107.2024.

6. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail.

7. Considering the aforesaid facts and circumstances of the case and also taking account the period of custody, I am



inclined to grant the petitioner privilege of regular bail.

8. Accordingly, the prayer for bail is allowed.

9. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Addl. Session Judge, VI-cum-Special Judge (POCSO Act), Sitamarhi, in connection with Punaura P.S. Case No. 86 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be



delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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