

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85231 of 2024

Arising Out of PS. Case No.-55 Year-2024 Thana- DHANKUND District- Banka

1.

Md. Ishak Mansuri S/O Md. Saheed Mansuri R/O Village Naya Tola, Anisaband Near Masjid, P.S. Dhankund, District Banka
2.

Md. Mojim Mansuri S/O Md. Saheed Mansuri R/O Village Naya Tola, Anisaband Near Masjid, P.S. Dhankund, District Banka

... .. Petitioner/s

Versus

1.

The State of Bihar
2.

Bibhash Paswan Son of Late Prasadi Paswan Resident of Village- Birbalpur, P.S.- Dhankund, District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Vijay Anand, Advocate Mr. Kumar Rajdeep, Advocate
For the State	:	Mr. Rajiv Nayan, APP
For Opposite Party No.2	:	Mr. Diwakar Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 02-04-2025 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 363, 366A and 34 of the Indian Penal Code and Section 8 and 12 of the POCSO Act.

3. The prosecution case, in brief, is that on 25.05.2024, co-accused Md. Sarfraz Mansuri @ Sanny Mansuri took away minor daughter of informant for the purpose of marriage. It is further alleged that when informant went to house of co-accused Md. Sarfraz Mansuri to know the whereabouts of



the victim then family members of co-accused Md. Sarfraz Manuri, including these petitioners, abused and threatened him.

4. It is submitted by learned senior counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. Specific accusation of taking away and committing rape upon the victim is against co-accused Md. Sarfraz Mansuri. Petitioners have falsely been implicated in this case merely because they happen to be brothers of co-accused Md. Sarfraz Mansuri. These petitioners are only alleged to have abused the informant. There is no specific accusation of overt act against these petitioners. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of learned Additional Sessions Judge VIth-cum-Special Judge (POCSO), Banka in connection with Dhankund P.S. Case No. 55 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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