

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83289 of 2024

Arising Out of PS. Case No.-121 Year-2024 Thana- KHIRI MORE District- Patna

Anwar Sai @ Md. Anwar Sai, S/O Momtaz Sai, Resident of Village-
Khanpura Tadi, Khanpura, P.S- Khirimore, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Subhash Ram S/O Late Deeplal Mochi R/O Village- Khanpura Tadi,
Khanpura, P.S- Khirimore, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate
For the Opposite Party/s : Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 10-02-2025 Heard learned counsel for the petitioner and Mr. Sadanand
Paswan, learned APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 363 and 366(A)
of the Indian Penal Code, Section 12 of the POCSO Act and Section
3(2) (va) of the SC/ST Act.

3. The case of the prosecution is that on 11.05.2024, the
minor daughter of the informant namely, Shiwani Kumari was
missing from the house. When she did not return for a considerable
time, the informant started searching her and he came to know that
the petitioner has kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner has submitted that
the occurrence is of 11.05.2024 whereas the case was filed on



18.06.2024. There is a delay of more than one month in filing the case. During course of investigation the informant was recovered and she has stated in her statement under Section 161 and 164 Cr.P.C. that she had gone with Anwar Sai (the petitioner) to Kurtha and she has also stated that she had married the petitioner. The victim was not ready for her medical examination as it transpires from the case diary at page-5. The petitioner is in custody since 19.06.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khirimore P.S. Case No. 121 of 2024 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge VII-cum-Special Judge (POCSO) Act, Patna.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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