

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88413 of 2024

Arising Out of PS. Case No.-256 Year-2024 Thana- BHAGWAN BAZAR District- Saran

Arsad Ali, S/O Late Suleman Ahmad, Resident of Village- Nai Bazar Gulaura,
PS- Bhadohi, District- Sant Kabir Nagar, Bhadohi, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjani Parashar, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 22-03-2025 Heard Mr. Anjani Parashar, learned counsel for the

petitioner and Mr. Mritunjay Kumar Nirala, learned APP for the

State.

2. The petitioner has prayed for bail in connection
with Bhagwan Bazar P.S. Case No. 256 of 2024 registered for
the offence punishable under Sections 363, 365 and 366A of the
Indian Penal Code.

3. The case of the prosecution is that the informant
has gone to hospital with his daughter. After some time, the
daughter of the informant was missing. The daughter of the
informant was also having a mobile.

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. During course of investigation, the victim was recovered. She has given her statement under Sections 161 and 164 of the Cr.P.C. In both of her statements, she has stated that she was indulged in talking to the petitioner through snap chat. In her statement under Section 161 of the Cr.P.C., she has stated that she has gone with the petitioner on her own will whereas in her statement under Section 164 of the Cr.P.C., she has stated that she was being enticed by the petitioner and was taken by him to Johnpur. In any view of the matter, from both statements it is clear that the victim was on talking terms. The learned counsel for the petitioner has filed Annexure - 2 which goes to show that both have solemnized marriage and in that affidavit / agreement, the age of the victim is 18 years. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 16.06.2024.

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 Court of Exclusive Special Additional Sessions Judge (POCSO), Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 256 of 2024.

(Ashok Kumar Pandey, J)

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