

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79490 of 2025

Arising Out of PS. Case No.-408 Year-2025 Thana- DHAKA District- East Champaran

Jamil Ansari S/o- Faruk Ansari Resident of village- Tetari, Ps- Dhaka Dist-
East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anwar Ansari S/o- Late Ibrahim Ansari Resident of village- Tetari, Ps-
Dhaka Dist- East Champaran

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2026 Heard Mr.Abhishek Kumar, learned counsel for the

petitioner, learned counsel for the informant and Mr.Anant

Kumar 1, learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
08.08.2025 in connection with Dhaka P.S. Case No. 408 of
2025, F.I.R. dated 22.07.2025 registered for the offence
punishable under Sections 137,96 of BNS and Section 8 of the
POCSO Act.

3. The prosecution case, in short, is that on
20.07.2025, accused persons including the petitioner are alleged
to have kidnapped the minor daughter (the victim) of the
informant for the purpose of her marriage.



4. Learned counsel appearing for the petitioner submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that for the same set of allegation another case i.e. Dhaka P.S.Case No.181 of 2025 has been instituted by the informant against the petitioner and the victim was recovered and her statement was recorded under Section 183 of BNSS, 2023 in which she has not supported the case of the prosecution. The police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 08.08.2025.

5. Learned counsel for the informant and learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts and the victim has not supported the case of the prosecution in her statement under Section 183 of BNSS,2023, 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 learned 6th District & Additional Sessions Judge-



cum-Exclusive Special Judge, POCSO Act, East Champaran,
Motihari in connection with Dhaka P.S. Case No. 408 of 2025,
with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the 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.

(Rajesh Kumar Verma, J)

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