

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8823 of 2015

Arising Out of PS.Case No. -193 Year- 2014 Thana -BIRPUR District- SUPAUL

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Md. Shairul @ Md. Sairul, son of Md. Harun, resident of village - Kushahar
Araji, P.S. - Balua Bazar, District - Supaul.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Mishra, Advocate.

For the Opposite Party : Mr. Shailendra Kumar-Ii(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 23-04-2015 Heard learned counsel for the petitioner, State and the

informant.

The petitioner seeks bail in Birpur (Balua Bazar) P.S.

Case No. 193 of 2014 under Sections 363 and 366(A)/34 of the

Indian Penal Code.

The informant made allegation that the petitioner with

the help of Md. Rakib, kidnapped his daughter Nikhat Parveen

aged about 15 years.

It is submitted that there was love affairs between the

victim and the petitioner. The victim travelled all alone to Delhi

alongwith the petitioner. She voluntarily married and on return,

she made her statement and alleged that she was kidnapped and

physical relation was also established but the doctor did not found any sign of sexual intercourse and the doctor assessed the age of the victim to be 18-19 years.

On the other hand, learned counsel for the informant submitted that the victim stated that on threat she was kidnapped. There appears that the victim herself disclosed her age to be 17 years. The doctor assessed the age of the victim to be 18-19 years. The victim travelled with the petitioner to Delhi and remained with the petitioner for some time but the victim nowhere raised any objection or hue and cry.

Considering the facts aforesaid, the petitioner, above named, is directed to 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 learned S.D.J.M., Birpur, Supaul, in Birpur (Balua Bazar) P.S. Case No. 193 of 2014.

U.K./-

(Prabhat Kumar Jha, J)

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