

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.4722 of 2015**

Arising Out of PS.Case No. -156 Year- 2005 Thana -MOJAHIDPUR District- BHAGALPUR

1. Md. Aslam Son of Late Md. Rasul resident of Mohalla Hussainabad  
(Kathghar), P.S. Mojahidpur (Habarganj), District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Ansuaiya Jaiswal (App)

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

3      24-04-2015      Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

The petitioner is languishing in jail custody since 05-  
03-2013 in a case registered under Sections-363, 366A of the  
Indian Penal Code.

No doubt, the petitioner is named in the first  
information report and the victim, specifically, stated that the  
petitioner along with two others kidnapped her and confined in a  
room but the victim, herself, admitted that she was dropped at her  
home by the culprits after 16 days of the alleged occurrence.

Learned counsel for the petitioner drew my attention  
towards this fact that the informant has filed a compromise  
petition, mentioning this fact that the marriage of the victim has

already been solemnized with another person and now she does not want to contest this case. It is contended by learned counsel for the petitioner that there was love affairs between the petitioner and the victim, who was major at the time of alleged occurrence but due to barrier of religion, the petitioner and the victim could not solemnize their marriage and later on, under influence of her family members, the victim took “U” turn in course of her statement recorded u/S 164 of the Cr. P.C.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Mojahidpur (Babarganj) P.S. Case No. 156 of 2005 corresponding to Sessions Trial No. 577 of 2013 to the satisfaction of Learned Additional Session Judge-Ist, Bhagalpur.

**(Hemant Kumar Srivastava, J)**

A.K.V./-

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