

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38644 of 2015

Arising out of PS.Case No. -149 Year- 2015 Thana -GOGRI District- KHAGARIA
=====

Md. Sahid @ Anwar, Son of Md. Salauddin, resident of Village-Rampur,
Police Station -Gogri, District Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party
=====

Appearance :

For the Petitioner : Mr. Binay Kumar, Advocate.

For the Opposite Party : Mr. Indra Kumar Singh(App)
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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 02.06.2015
in connection with Gogri P.S. Case No. 149 of 2015 for the
offences instituted under Sections 366(A) and 372 of the IPC.

The prosecution story, in brief, is that on 12.04.2015 at 5
P.M. Khusbu Kumari, the daughter of the informant, had gone to
market to bring vegetable but did not return till 9 P.M. Then the
informant began to search for his daughter and in such course, he
came to know that this petitioner has kidnapped the minor
daughter of informant Sachin Sah, aged about 13 years with an
intention to marry and in the incident there is involvement of co-
accused persons as mentioned in the F.I.R.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 02.06.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. From perusal of paragraph no. 44 of the case diary which is the statement of the victim under Section 161 Cr. P.C. and her statement under Section 164 Cr. P.C it would appear that the victim has given different versions in respect to the manner of occurrence. The mother of the victim in paragraph no. 7 of the case diary has stated that the victim was in possession of a Mobile Phone when she asked in respect to the said Mobile Phone the victim left the house. Later on, she learnt that the victim has eloped with the petitioner for the purpose of marriage.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 the learned J.M. Ist Class, Khagaria, in connection with Gogri P.S. Case No. 149 of 2015.

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(Sudhir Singh, J)