

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31238 of 2015

Arising Out of PS.Case No. -48 Year- 2015 Thana -DAGARWA District- PURNIA

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1. Md. Najish Rahil S/o Md. Quasim Resident of Village - Chandbhati P.S.
- Digarwa, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nadimul Hasan

For the Opposite Party/s : Mr. Ashraf Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 15-10-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The victim girl has been recovered and her statement
u/S 164 of the Cr.P.C. was recorded. Although the victim stated
the manner, in which, she was kidnapped by the petitioner but she
fairly admitted that petitioner did not misbehave with her.
Admittedly, the girl was recovered from Delhi.

Submission on behalf of the petitioner is that as a matter
of fact, the victim herself eloped with petitioner as she was in love
with petitioner but when she came in possession of her parents;
she took “U” turn, when her statement u/S 164 of the Cr.P.C. was
recorded.

In the first information report, the age of victim has been

disclosed as 14 years but in medical examination, she was found between 16-17 years of age.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties and also taking note of period of detention of the petitioner in jail custody, let the petitioner named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Dagarwa P.S. Case No. 48 of 2015 to the satisfaction of J.M. Ist Class, Purnea.

(Hemant Kumar Srivastava, J)

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