

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14343 of 2015

Arising Out of PS.Case No. -132 Year- 2013 Thana -LAUKHI District- MADHUBANI

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Md. Saddam @ Abdul Kadir, Son of Safat Ali resident of Village - Narhiya,
Police Station - Laukahi, District - Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Suraj Narain Yadav, Advocate.

For the Opposite Party : Mr. Zainul Abedin (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-05-2015 Heard both sides.

The petitioner apprehends his arrest in Laukahi P.S.
Case No. 132 of 2013, registered for the offences punishable
under Sections 366A and other Sections of the Indian Penal Code.

The petitioner and others are alleged to have kidnapped
Umati Khaton.

Learned counsel for the petitioner submits that the
victim is a major girl and she voluntarily left her house, went to
Delhi along with the petitioner. The petitioner and the victim
solemnized marriage. The petitioner has also filed a suit for
restitution for conjugal rights. The victim was examined by the
medical board and her age is assessed to be about 17 years.

On the other hand learned counsel for the informant

vehemently opposed the prayer for anticipatory bail.

There appears that the victim made her statement under Section 164 of the Cr. P.C. and she disclosed that the petitioner forcibly kidnapped her and took her to Delhi. The victim disclosed her age to be 14 years. The doctor also assessed the age of the victim below 17 years. The petitioner is alleged to have threatened the victim to kill her second brother as her first brother has already been killed.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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