

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51170 of 2014

Arising Out of PS.Case No. -43 Year- 2013 Thana -INDUSTRIAL District- BHAGALPUR

Md. Imtieyazuddin @ Banti Son of Safiquddin @ Nanhe Mian, Resident of Mohalla- Shahki Imli, P.S. Khajekalan, District Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha

For the Opposite Party/s : Mr. Iftekhar Mahmood (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 18-03-2015 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with Industrial area P. S. Case No. 43/2013 registered for offence punishable under Section 366 (A) of the Indian Penal Code.

It is alleged that the petitioner had kidnapped the daughter of the informant.

It is submitted that on behalf of the petitioner that the victim girl in her statement recorded under Section 164 Cr.P.C. has clearly stated that she had gone with the petitioner with consent of the informant to the Imarty Sharya, Phulwarisharif, Patna and she married him on her own sweet will after giving her consent and to this effect a certificate has been issued by Md. Zakir of Imam Chowk Masjid, Phulwarisharif, Patna.

Furthermore, the age of victim girl in question has been assessed the age between 17 to 19 years as per medical report, marked as Annexure-7 to this application.

Considering the statement made by the victim girl under Section 164 Cr. P. C. and also the medical report and the fact that she has herself given her consent to marry, let the above named petitioner in case of arrest or surrender within a period of four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Industrial P. S. Case No. 43 of 2013, subject to condition as laid down under Section 438(2) of Cr. P.C.

(Anjana Mishra, J)

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