

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43504 of 2015

Arising Out of PS.Case No. -193 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

Idia Mian, Son of Ainul Mian, Resident of Village-Tikuliya, P.S.-Muffasil,
District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 14-10-2015 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Muffasil P.S. Case No.193 of 2015 registered under Sections
366(A)/34 of the Indian Penal Code.

The allegation is of kidnapping Priti Kumari, the daughter
of the informant, Balister Paswan, aged about 14 years by his
villagers, Sahim Mian, Mofil Mian, Jai Muniya Khatoon and Idia
Mian, for the purpose of marriage.

Learned counsel appearing on behalf of the petitioner
submits that, in fact, there was love affair in between Sahim Mian
and the victim but with an ulterior motive, the informant, who is

father of the victim, has lodged this false case implicating the family members of Sahim Mian including the petitioner also. Moreover, while the victim in her statement recorded under Section 164 of the Code of Criminal Procedure has stated about carrying her by the co-accused, Sahim Mian but she has stated about meeting of the petitioner in the way and to get her unconscious by giving intoxicated medicine. She has further stated that Sahim Mian took her to Lucknow and keep her there for seven days. She has not stated about any misbehaviour and committing illegal act against the petitioner.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Sadar at Motihari, East Champaran, in connection with Muffasil P.S. Case No.193 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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