

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22205 of 2015

Arising Out of PS.Case No. -114 Year- 2015 Thana -MAJHAULIA District- WEST
CHAMPARAN(BETTIAH)

Harif Miyan, son of Late Badari Miyan, resident of village Ramnagar
Bankat, P.S. - Majhauriya, District West Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Aditya Nath Jha, Advocate.

For the Opposite Party : Mr. Ganesh Pd.Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2015 The petitioner is languishing in custody since 18.03.2015
in connection with Majhauriya P.S. Case No. 114 of 2015 for the
offences instituted under Sections 363, 366A/34 of the I.P.C. and
8 of the POCSO Act.

Heard learned counsel for the petitioner and learned
counsel for the State.

The prosecution story, in brief, is that on 10.03.2015 his
daughter, Ragini Sharma, had left the house on 10.03.2015 at
about 9.00 A.M., for appearing in examination in Amwa Majhar
School but when she did not return till 4.00 P.M., he alongwith
villagers searched for her but failed to locate. It is alleged that
during search on 11.03.2015 he came to know that one Aurangjeb

has fled with Ragini Sharma. It is further alleged that some month earlier also said Aurangjeb had teased the daughter of the informant. It is further alleged that the informant confidentially got information that the accused persons including the petitioner had taken away the victim girl and handed over to said Aurangjeb who has taken away her for performing the marriage.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.03.2015 and the charge sheet has been submitted in the present case. Further a supplementary affidavit has been filed bringing on record 164 Cr. P.C. statement of the victim. From perusal of 164 Cr. P.C. statement, it appears that the victim girl on her own will had left her house and she has not made any allegation against this petitioner. Further it is submitted that other co-accused have been granted anticipatory bail vide Cr. Misc. No. 24794/2015.

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 1st Additional Sessions Judge-cum-Special Judge, West Champaran at Bettiah, in

connection with S.G.R. No. 26 of 2015, arising out of Majhauriya
P.S. Case No. 114 of 2015.

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(Sudhir Singh, J)

