

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39524 of 2015

Arising Out of PS.Case No. -723 Year- 2014 Thana -FORBESGANJ District- ARRARIA

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Md Sahwaj Khan @ Sahwaj Khan @ Md. Sahwaj Son of Md. Azad Khan
resident of Village - Dolbajja, Police Station - Forbesganj, District - Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Mustaque Alam (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-10-2015 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is languishing in custody since
14.4.2015 in connection with Forbesganj P.S. Case No.723 of
2014 for the offences under Sections 363,366-A/34 of the Indian
Penal Code.

The prosecution case, in brief, is that on
11.11.2014 at 6.30 P.M. while the informant Bibi Kulsoom
coming from Rajokhar with her grand daughter Rukhshar aged
about 14 years and as soon as they came at home accused Md.
Wakil, Md. Sahwaz the petitioner, Md. Nawaz and Md. Ishaque
and other 3-4 persons were sitting there from before with Scorpio
four wheeler and they forcibly caught her grand daughter and
taken her on the vehicle and fled away for the purpose of
marriage. She was searched but could not be traced out.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 14.4.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence. As per the allegation the petitioner is said to have abducted the victim girl for the purpose of performing marriage. From perusal of Annexure-2 it would appear that the petitioner and the victim have already been married. It is further submitted that the petitioner may be released on bail on completion of nine months in custody from 14.4.2015.

On behalf of the State it is stated that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named, be released on bail after completion of nine months in custody from 14.4.2015 on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 723 of 2014.

(Sudhir Singh, J)

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