

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32304 of 2015

Arising Out of PS.Case No. -826 Year- 2014 Thana -SAHARSA District- SAHARSA

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Md. Israfil, S/o Md. Suleman, Resident of Mahua Bazar, P.S. Basnahi,
District Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Smt. Anuradha Singh (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 17-08-2015 Heard learned counsel for the petitioner and the

learned counsel for the State.

The petitioner is apprehending his arrest in connection with Saharsa (Sadar) P.S. Case No.826 of 2014 for allegedly having committed the offence under Section 366A of the Indian Penal Code.

Learned counsel for the petitioner submits that no case of kidnapping is made out against the petitioner as in the statement made under Section 164 Cr.P.C. by the victim, she has stated that she went in the company of the petitioner and one Md. Saddam on her own sweet-will. It is further submitted that the medical report indicates that the petitioner is not minor but her age is between 19 and 21 years.

Considering the facts and circumstances of the case and that the victim girl went in the company of the petitioner and one Md. Saddam on her own sweet-will, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, 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 Chief Judicial Magistrate, Saharsa, in connection with Saharsa (Sadar)) P.S. Case No.826 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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