

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38645 of 2015

Arising Out of PS.Case No. -17 Year- 2015 Thana -MANIHARI District- KATIHAR

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1. Md. Tanvir @ Tanvir Alam Son of Md. Mustafiz Rehman Resident of Mohalla- Rampur Pathan toli, Sakri Gali, Police Station- Sahebganj, District Sahebganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Purushottam Kumar Das

For the Opposite Party/s : Mr. Smt. Rina Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-09-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 363 and 366A of the Indian Penal Code.

The accusation is of kidnapping the minor daughter of the informant.

It is submitted by learned counsel for the petitioner that though in 164 Cr.P.C. statement the victim has supported the accusation against the petitioner of kidnapping but subsequently the petitioner and the victim girl got married and now she is pregnant, residing with the

petitioner. Consequently, the informant filed a petition before the learned court below retracting from the initial accusation. The same has been brought on record as Annexure 3.

Though the medical board assessed the age of the victim between 16 to 17 years but keeping in view the present stand of the petitioner and undertaking of the petitioner that the petitioner will produce the victim girl before the learned court below on 12th October, 2015 when the learned court below will record the statement of the victim, let the above named petitioner be released on provisional anticipatory bail for two months in the event of arrest or surrender before the learned Court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Katihar in connection with Manihari P.S. Case No. 17 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed in case the victim admits that she of her own married with the petitioner but if the victim does not admit



that she of her own married with the petitioner, the
petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

Anil/-

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