

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44876 of 2015

Arising Out of PS.Case No. -144 Year- 2012 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

Md. Imran @ Imran son of Nur Alam Ansari resident of Village- Kunawa,
P.S- Chakia, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL ORDER

2 15-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends arrest in Chakai P.S. Case
No. 144 of 2012 dated 08.05.2012 instituted under Sections
363/366/34 of the Indian Penal Code.

The petitioner is not named in the FIR but has been
implicated on the basis of allegation that the victim was kept in his
house at Delhi.

Learned counsel for the petitioner submits that he had
no role in the kidnapping of the girl and was himself threatened
and forced her to keep at Delhi. It is further submitted that after
six months the girl herself asked him to marry her and after that

they had visited the village, both being of the same village, and then the victim had gone to the police station and also got her statement recorded before the Court under Section 164 of the Code of Criminal Procedure, 1973. It is submitted that in the statement she has clearly stated that others had brought her to Delhi and the petitioner was forced to keep her and that she had asked him to marry her and she wanted to go with the petitioner. It is submitted that presently they are living together as husband and wife and the petitioner has no criminal antecedent.

Learned A.P.P. is not in a position to counter the submissions of learned counsel for the petitioner.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in Chakai P.S. Case No. 144 of 2012, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J)

Anjani/-

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