

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13041 of 2015

Arising Out of PS.Case No. -232 Year- 2014 Thana -KHARIK District- BHAGALPUR

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Md. Sahjahan Son of Md. Ainul @ Md. Ainul Haque

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dr.Indiwar Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-03-2015

Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under Section 366/34 of
the Indian Penal Code.

It is alleged that the petitioner took the informant on
an auto rickshaw and after purchasing train ticket sent the victim
and Aftab to Delhi. In Delhi, she met with son of her sister and,
thereafter Aftab flee away leaving her there.

It is submitted by learned counsel for the petitioner
that the victim girl, on recovery, got her statement recorded
under Section 164 of the Code of Criminal Procedure wherein
she has got her age recorded as 19 years whereas in the medical
assessment the victim has been assessed below eighteen years.

The thrust of accusation is against Aftab. The statement under Section 164 Cr. P.C. suggests that the victim of her own went in the company of Aftab.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Naugachia, Bhagalpur in connection with Kharik P.S. Case No. 232 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bond of the petitioner will be accepted on filing of the affidavit by the petitioner before the learned court below to the effect that he will regularly co-operate in the investigation. Non-cooperation in the investigation by the petitioner will give liberty to the learned court below to cancel the bail bonds of the petitioner.

(Dinesh Kumar Singh, J)

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