

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38753 of 2015

Arising Out of PS.Case No. -183 Year- 2014 Thana -JALE District- DARBHANGA

Ejaz son of Noor Hassan, resident of village- Kamtaul Tole Jarji, Police Station- Kamtaul and District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Shahin Begum(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 28-09-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 363 and 366A/34 of the Indian Penal Code.

The prosecution case is that the minor daughter of the informant went missing with gold and silver ornaments and cash of Rs.15,600/-. Subsequently the informant learnt that the petitioner along with others kidnapped the daughter of the informant for the purpose of marriage.

It is submitted by learned counsel for the petitioner that in 164 Cr.P.C. statement the victim has got her age recorded as 14 years when the court has assessed as 16

years where she has stated that she of her own went to Mumbai with her friend since the parents were forcing to marry against her wish. In 164 Cr.P.C. statement the victim has not named this petitioner.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the fact that the victim has not named this petitioner, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Jalley P.S. Case No. 183 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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