

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10925 of 2015

Arising Out of PS.Case No. -125 Year- 2013 Thana -BAHERA District- DARBHANGA

1. Md. Shamshad Son of Md. Masoom @ Gudri, resident of village - Basuham, Police Station - Bahera, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nisar Khan, daughter of Yusuf Khan, Resident of Village - Basuham, Police Station - Bahera, District - Darbhanga.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Jitendra Kumar Singh-I(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 07-09-2015 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a case registered for the offences punishable under Sections 366(A) and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that on recovery of the victim girl she has stated that the petitioner took her away while she was attending call of nature and confined her at strange place and then released her. In her statement she has not alleged that any of the accused persons or the petitioner had indulged in any unnatural act had tried to kill her keeping into consideration her under age.

Considering the aforementioned fact and also the fact that

now the victim girl has been recovered and she was not subjected to any physical act by the petitioner nor there was any forceful marriage, let the petitioner Md. Shamshad, in the event of his arrest / surrender within a period of three weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Additional Chief Judicial Magistrate, Darbhanga in connection with Bahera P.S. Case No. 125/2013, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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