

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16847 of 2015

Arising Out of PS.Case No. -185 Year- 2014 Thana -BAISI District- PURNIA

1. Safikul @ Shafikul Son of Ibrahim
2. Firoz @ Md. Firoj Son of Md. Mofijuddin
Both resident of Nayatola, Gotphor, Fulbasa, Police Station - Baisi, District
- Purnia

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

With

Criminal Miscellaneous No.14143 of 2015

Arising Out of PS.Case No. -185 Year- 2014 Thana -BAISI District- PURNIA

1. Md. Hisam
2. Md. Manzur
Both S/o Fazlur Rahman, Both Resident of Village Gotfar, Tola Leluka,
P.S. Baisi, District Purnea.
3. Jamshed Alam @ Jamshed
4. Akbar Alam,
Both S/o Md. Ishaque, Both Resident of Village Jhalbari, P.S. Chakuliya,
District Islampur (Bengal).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

(In Cr. Misc. No.16847 of 2015)

For the Petitioner/s : Mr. Najeeb Ahmad
For the Opposite Party/s : Mrs. Anita Kumari Singh (APP)

(In Cr. Misc. No.14143 of 2015)

For the Petitioner/s : Mr. Diwakar Prasad Karn
For the Opposite Party/s : Mr. Uday Chandra Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 22-05-2015 Heard both sides.

The petitioners in Cr. Misc. No. 16847/2015, namely,
Safikul @ Shafikul and Firoz @ Md. Firoj, and the petitioners in

Cr. Misc. No. 14143/2015, namely, Md. Hisam, Md. Manzur, Jamshed Alam @ Jamshed and Akbar Alam, apprehend their arrest in Baisi P.S. Case No. 185/2014 under Section 363, 372, 420, 120(B) of the Indian Penal Code.

The father of the victim named the petitioners and alleged that they all kidnapped his minor daughter. The informant got information that his daughter was kept confined at Jharbadi where the informant found Ibrahim, Firoz, Jamshed Alam and Akbar Alam, but they did not hand over his daughter. Learned counsel for the petitioners submits that the occurrence took place on 22.08.2014 but the F.I.R. was lodged on 01.09.2014. The petitioners are neighbours of the informant. Some dispute arose between them. Now, the case has been settled. The victim also made her statement under Section 164 of the Code of Criminal Procedure and she made allegation that the petitioners forced her to marry with Saddam, but the petitioners did not ever ill-behave with the victim. It appears that the victim made allegation against Saddam and Manzur (one of the petitioners) that they kidnapped her on a motorcycle and thereafter got her seated in a Bolero vehicle and thereafter Saddam, Manzur, Safikul, Hasimuddin, Belal, Jamshed, Akbar and Firoz took her to Jhalbadi and forcibly got her married with Saddam. The victim disclosed her age to be

13 years. Even in the medical examination, age of the victim has been assessed as 14-15 years.

Having considered the facts aforesaid, I am not inclined to enlarge the above named petitioners on anticipatory bail in Baisi P.S. Case No. 185 of 2014. Accordingly, the same is rejected.

The petitioners are directed to surrender in the court below and make prayer for regular bail. The learned court below shall consider the prayer for regular bail of the petitioners taking into consideration all the facts and dispose of the bail petition in accordance with law.

(Prabhat Kumar Jha, J)

Dilip/-

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