

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23980 of 2013

Arising Out of PS.Case No. -63 Year- 2009 Thana -BALRAMPUR District- KATIHAR

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Md. Mohsin Alam @ Haji Mohsin S/O Late Ilyas Resident Of Village-
Mallickpur, P.S- Balrampur, District- Katihar.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Dhanpati Kumar Singh S/O Late Shital Prasad Singh Resident Of
Village- Dahal, P.S- Balrampur, (Telta O.P), District- Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hilal Ahmad, Adv.

For the Opposite Party/s : Mr. Murlidhar (APP)

For the Informant : Mr. Munsowir, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

6 03-08-2016 Heard learned counsel for the petitioner and counsel
for the State as also counsel for the Informant.

In this case, the petitioner is challenging the order
taking cognizance dated 6.9.2011 passed by learned Chief Judicial
Magistrate, Katihar in Balrampur (Telta) P.S. Case No. 63 of 2009
(G.R. No. 1980 of 2009).

In the First Information Report, an allegation has
been made against the petitioner to have assisted in kidnapping
and taking away the girl.

Learned counsel for the petitioner has submitted that
in the statement under Section 164 of the Cr.P.C., the victim girl
has not taken the name of the petitioner. Learned counsel for the

petitioner has further submitted that the victim girl has already entered into marriage with other person.

Learned counsel for the Informant has submitted that the subsequent event is not to be looked into for the offence committed by the petitioner.

Looking to the entire facts and circumstances of the case, this Court is not inclined to interfere with the order taking cognizance at this stage.

This application is, accordingly, dismissed.

However, liberty is given to the petitioner to raise all the points at appropriate stage.

(Shivaji Pandey, J)

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