

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32853 of 2016

Arising Out of PS.Case No. -25 Year- 2016 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Md. Samir son of Samiullah resident of Village- Baluwa Guwabari P.S.-
Kundwa Chain Pur District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Nityanand Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-09-2016 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in a case registered under
Sections 366(A)/34 of the Indian Penal Code.

The prosecution case, in brief, is that the informant's
sister- Rima Kumari, aged about 16 years is a student of Target
Coaching Centre of Md.Samir and on 27.03.2016 at 9 hrs. in the
morning she went to attend the coaching class but she did not
return till 1.00 hrs. and as such he went to coaching centre where
he found that the coaching was closed and on enquiry by nearby
people he got information that his sister has been taken by
Md.Samir along with his father Md. Samiullah, mother Ambeya
Khatoon and some unknown persons towards railway station or
bus stand.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.04.2016. Charge sheet has been submitted in this case. The petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. The victim in her 164 Cr.P.C. statement has not alleged any physical or sexual abuse against the petitioner. There is admitted love affairs between the two.

On behalf of the State, it has been submitted that the petitioner is not named in the FIR.

Considering the aforesaid facts and circumstances of the case, let, above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sikarhana at Dhaka, East Champaran in connection with Kundwachainpur P.S. Case No.25 of 2016.

(Sudhir Singh, J)

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