

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30056 of 2016**

Arising Out of PS.Case No. -10 Year- 2016 Thana -GOPALGANJ CITY District- GOPALGANJ

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Afzal Miyan @ Afzal Mian Son of Sharafat Mian @ Sarafat Mian resident  
of village - Chhota Dhamapaker, P.S. Manjhagarh, Distt. - Gopalganj

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Shafiur Rahman, Advocate.

For the Opposite Party : Mr. Sri Chandra Bhushan Prasad (APP)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4      07-09-2016                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is languishing in custody in connection  
with Gopalganj (Town) P.S. Case No. 10 of 2016 for the offences  
instituted under Sections 363, 366(A)/34, 376 of the Indian Penal  
Code and Section 7/8 of POCSO Act.

The allegation against the accused persons including the  
petitioner is of committing abduction of the minor daughter of the  
informant.

It has been submitted on behalf of the petitioner that the  
petitioner is in custody since 17.02.2016. The charge sheet has  
been submitted in the present case. There is no allegation of  
tampering of witnesses alleged against the petitioner. There was

admitted love affair between the petitioner and the victim but after recovery, the victim under the pressure of her parents, has made a false allegation against the petitioner in her statement recorded under section 164 of the Cr.P.C. From perusal of paragraph-44 of the case diary, it is evident that as per the C.D.R. report, prior to the alleged occurrence and on the date of occurrence also there was a long talk going on between the petitioner and the victim. This indicates that the petitioner and victim were known to each other and were in talking terms.

On behalf of the state it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned 1<sup>st</sup> Additional Sessions Judge, Gopalganj, in connection with Gopalganj (Town) P.S. Case No. 10 of 2016.

**(Sudhir Singh, J.)**

Amit/-

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