

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50834 of 2016

Arising Out of PS.Case No. -70 Year- 2016 Thana -BELCHAR District-
WESTCHAMPARAN(BETTIAH)

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Mohammad Mustak Ahmad, S/o Ibrahim Mian, resident of village- Balthar,
Police Station- Balthar, District- West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-11-2016 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner is languishing in judicial custody since 18.09.2016 in connection with Balthar P.S. Case No. 70 of 2016 for the offences alleged under Sections 363, 365, 366A of the Indian Penal Code.

The prosecution case is that 15 years old daughter of the informant has been enticed away by the petitioner for marriage.

It has been submitted by the learned counsel for the petitioner that just a day after on 19.09.2016 the victim girl Sonamati Kumari has appeared before the Magistrate and given her statement under Section 164 of the Cr.P.C. stating therein that she wants to marry the petitioner and she thrice ran away with him. The Magistrate assessed her age to be 18 years and she has also accepted her age to be 18 years.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence opposes the prayer for bail.

Considering the facts and circumstances and the statement of the victim girl under Section 164 of the Cr.P.C., let the 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 Judicial Magistrate, Bettiah, West Champaran in connection with Balthar P. S. Case No. 70 of 2016.

(Nilu Agrawal, J)

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