

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39429 of 2016

Arising Out of PS.Case No. -59 Year- 2016 Thana -BARGANIA District- SITAMARHI

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Md. Seraj son of Md. Lal Babu, Resident of Village Bhakurhar, P.S.
Bairgania, District Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Alok Kumar Jha, Advocate.

For the Opposite Party/s : Ms. Veena Rani Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-09-2016

Heard both sides.

The petitioner apprehends his arrest in Bairgania P.S. Case No. 59/2016 registered under Sections 341, 323, 447, 376, 380, 504, 506/34 of the Indian Penal Code and Sections 66, 66A, 67A of the I.T. Act.

The informant alleged that marriage of his daughter was settled with Md. Aftab Alam of Village Sisiya Rauthar (Nepal). On 24.04.2016, Wolimahmad sent pictures on WhatsApp from his mobile to the mobile of the son of the informant. The pictures were of the daughter of the informant. Md. Sadab had taken the pictures and prepared films of his daughter. It is alleged that when the informant went to the house of Md. Sadab, the petitioner and others objected and assaulted the informant after coming to his house.

Learned counsel for the petitioner submits that there is no allegation of taking photographs and preparing any other document against the petitioner. The victim made her statements under Section 164 Cr.P.C. and disclosed that Md. Seraj asked her to have talks with Md. Sadab. There is no allegation against the petitioner that the petitioner ever ill-treated the victim or did any illegal act.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged 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 Chief Judicial Magistrate, Sitamarhi in Bairgania P.S. Case No. 59/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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