

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40142 of 2016

Arising Out of PS.Case No. -268 Year- 2016 Thana -BUXAR District- BUXAR

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1. Tamel Shah @ Mustak Shah Son of Late Fulli Shah @ Late Ful
Mohammad Shah Resident of Nai Bazar, P.S. Town Buxar, District- Buxar.
..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 20-09-2016

Heard learned counsel for the petitioner, learned

counsel for the informant as well as learned APP.

Informant, who is not an eyewitness to the occurrence had alleged that during course of search, his minor daughter, Priyanka Kumari aged about 14-15 years, had been taken away by one Sheru, son of the petitioner. Then thereafter, it has been disclosed that after coming to know about the same, he, along with his wife approached to the petitioner, his wife, his son, namely, Sattar @ Kariya and Ehtan @ Hafiz who, upon query, disclosed that Sheru Shah had come with a girl and then thereafter had gone. It has also been disclosed that they have taken some time to produce the girl but failed and on account thereof, instant case has been registered.

Learned counsel for the petitioner has submitted that

it happens to be a case of love affair. It has also been submitted that from perusal of the written report, it is evident that no allegation has been attributed to the petitioner save and except that he undertook to produce the girl. Also submitted that his son, Sheru happens to be separate from him.

Learned APP opposed the prayer.

After going through the order impugned, it is evident that the date of birth of the victim happens to be 13.11.2001 as per registration under Bihar School Examination Board. So, certainty, she happens to be a minor. From the order impugned, it is also evident that the victim is still traceless. Therefore, complicity of petitioner and that too, to what extent is yet to be exposed.

Prayer for bail is rejected.

(Aditya Kumar Trivedi, J)

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