

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1477 of 2016

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Md. Sarwar Azam @ Sarwar Azam son of Md. Qamar Azam @ Qamar Azam

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Dr. Kr.Uday Pratap (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-01-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 366A of the Indian Penal Code.

Accusation is of kidnapping the minor daughter of the informant.

It is submitted by learned counsel for the petitioner that the victim namely Neha Kumari of her own went in the company of the petitioner and performed marriage with him. An affidavit to that effect has been sworn by the victim, the same has been brought on record, as annexure-3 to the petition wherein she claims to be major. However, the petitioner is ready to produce the victim girl before the learned court below on 3rd

February, 2016.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for two months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bhagalpur in connection with Kotwali (Barari) P.S. Case No.763/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

It is made clear that the petitioner will produce the victim girl before the learned court below on 3rd February, 2016 when the learned court below will record her statement wherein if she admits her marriage with the petitioner then the provisional bail of the petitioner will be confirmed otherwise the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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