

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21028 of 2016

Arising Out of PS.Case No. -99 Year- 2015 Thana -JADIA District- SUPAUL

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Md. Tabrez, Son of Md. Yasim, Resident of Village- Phulkaha, PS Jadia,
District Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Parmanand Prasad (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 03-08-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with

Jadia P.S. Case No. 99/15 for offences alleged under Sections 366-

A/34 of the Indian Penal Code.

The allegation is that petitioner along with others

with bad intention abducted the daughter of the informant.

Informant also alleged that her daughter eloped with ornaments

and cash also.

It has been submitted by the learned counsel for

the petitioner that in the First Information Report the informant

has herself stated that her daughter had taken away jewellery and

cash along with her. The victim girl also in her statement under

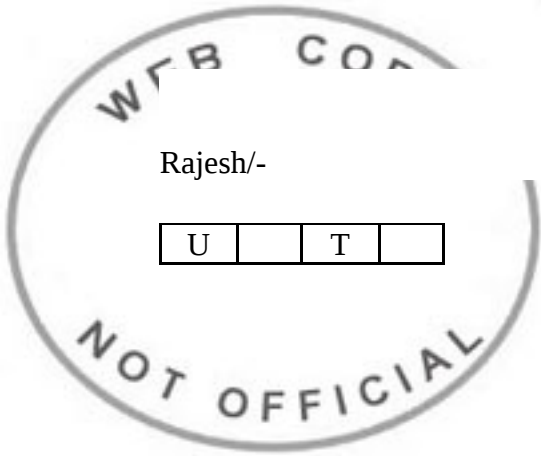


Section 164 Cr.P.C. has stated that the petitioner did not establish any physical relation with her. He submits that the allegation upon the petitioner casts suspicion as the victim girl had taken jewellery and cash along with her. He further submits that on medical examination also no external or internal injury was found nor was there any commission of rape. It has further been submitted that the petitioner has no criminal antecedent, as is evident from paragraph 3 of this petition.

However, learned APP for the State submits that the victim girl was taken away by the petitioner and one another, which is evident from the statement of the victim girl under Section 164 Cr.P.C., hence, opposes the prayer for bail.

Be that as it may, since as per the First Information Report the victim girl had taken jewellery and cash along with her and in her statement under Section 164 Cr.P.C. there is no allegation of any overt act by the petitioner upon the victim girl, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, 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 Sri Kumar Krishnadeo learned Judicial Magistrate, Supaul, in connection with Jadia P.S. Case No. 99/15, subject to

the conditions as laid down under Section 438(2) Cr.P.C.



(Nilu Agrawal, J)

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