

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15152 of 2016

Arising Out of PS.Case No. -213 Year- 2015 Thana -BAHADURGANJ District- KISANGANJ

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Md. Nadir Alam @ Sindbad @ Sindhwaj S/o - Md. Iqbal Alam, Resident of
Village - Bhauradah, P.S. - Bahadurganj, District - Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Diwakar Sinha, Advocate.

For the Opposite Party : Mr. Nityanand(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-05-2016 Heard both sides.

The petitioner apprehends his arrest in Bahadurganj
P.S. Case No. 213 of 2015 registered for the offences punishable
under Sections 366(A) and 34 of the Indian Penal Code.

The informant alleged that his niece was kidnapped by
Mansoor Alam and Md. Nadir Alam @ Sindbad @ Sindhwaj, the
petitioner for the purpose of marriage.

It is submitted that the informant has very categorically
stated that the victim was kidnapped for the purpose of marriage.
The victim was recovered and after three days of the occurrence
marriage was also solemnized. Nikahnama is annexed as
Annexure-2.

From perusal of the statement of the victim recorded

under Section 164 of the Cr.P.C. the victim disclosed her age to be 14 years and the court also assessed her age to be of 14 years. The victim made very specific allegation that the petitioner and co-accused have kidnapped her and committed rape with her.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail in Bahadurganj P.S. Case No. 213 of 2015, pending in the court of the learned Chief Judicial Magistrate, Kishanganj. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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