

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37871 of 2016**

Arising Out of PS.Case No. -3 Year- 2016 Thana -PURANHIA District- SHEOHAR

Tahir Hussain son of Huseni Mansuri resident of Village- Pandrahi, P.S.-  
Belsand, District- Sitamarhi.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

**Appearance :**

For the Petitioner : Mr.

For the Opposite Party : Mr.

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

3      21-10-2016      Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner seeks bail in connection with S.Tr. No.  
84 of 2016 arising out of Purnahiya P.S Case No. 03 of 2016  
registered for the offences punishable under Sections 363 &  
366(A)/34 of the Indian Penal Code.

The victim in her statement under section 164 of  
Cr.P.C. has stated that the petitioner closed her eyes and after  
breaking the lock of box took out ornaments and cash and further  
he also boarded her in a Sumo vehicle and from where she brought  
at Pandrahi, where she was kept for two night and thereafter she  
was brought at Muzaffarpur where she was kept four days and  
from Muzaffarpur to Bairganiya, but seeing the police, he fled

away and after taking mobile from a man, she called her father and then her father came and brought her before the police and she never raised alarm at any where.

Submission is of false implication and that the age of the victim has been found by the Doctor as 17-19 years, she went out of her own sweet will and returned. The petitioner has been implicated due to reason that the informant wants to marry his daughter with the petitioner, but the petitioner is not ready for the same and then to put pressure F.I.R. has been lodged and statement of the victim has been recorded. The petitioner is a teacher and suffering in custody since 30.01.2016 and, as such, the petitioner deserves sympathetic consideration as nothing has been alleged regarding sexual assault committed with the victim, the allegations are concocted and baseless.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sheohar, in connection with S.Tr. No. 84 of 2016 arising out of Purnahiya P.S Case No. 03 of 2016, subject to the conditions that one of the bailors must be a near relative and

another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J.)**

Rajiv/-

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