

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8048 of 2016

Arising Out of PS.Case No. -382 Year- 2015 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Md. Alam, Son of late Kasim @ Late Kasim Mian
 2. Afasana Khatoon @ Sayara Khatoon, W/o Md. Alam
 3. Kicky @ Kiky, S/o Md. Alam
 4. Zina Khatoon, D/o Asik Mian
 5. Nazir Mian @ Najir Alam @ Najir Hussain, S/o late Kasim @ Late Kasim Mian
 6. Heena Khatoon, D/o Asik Mian. All are residents of Village - Ghorasahan, P.S. - Ghorasahan, District - East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate
For the Opposite Party/s : Mr. Rita Verma, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-02-2016 Heard learned counsel for the petitioners and
learned APP for the State.

Petitioners apprehend arrest in connection with
Ghorasahan P.S. Case No. 382/15 for offences alleged under
Sections 366(A)/34 of the Indian Penal Code.

Prosecution case, as lodged by the informant, is
that on 26.10.2015 at 10.P.M. his maternal daughter, namely,
Priyanka Kumari aged 16 years was sleeping with all family
members. In the meantime, accused Ahsan Alam and other co-
accused persons including the petitioners have kidnapped his



maternal daughter in the night itself. When the informant woke up in the morning Priyanka Kumari was not found in his house. The neighbours told that the above accused persons have kidnapped his maternal daughter and when informant went to the house of accused persons, they were not found in their house. On pressure of the nearby people petitioner no. 1 told that his maternal daughter will return back till tomorrow but she did not return back till date.

It has been submitted by the learned counsel for the petitioners that they are innocent and have falsely been implicated in the aforesaid case. In fact, the victim Priyanka Kumari has performed marriage with one Ahsan Alam with whom she was in love and has converted her name into Taniska Praveen. Her statement under Section 164 Cr.P.C. her age has been recorded as 19 years. It has further been submitted by the learned counsel for the petitioners that the victim girl has already married to one Ahsan Alam and they have nothing to do with the said occurrence.

Learned APP for the State, however, submits that as per the certificate of Bihar School Examination Board victim was minor at the time of occurrence.

Be that as it may, let petitioners, above named, in

the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikrahana (Dhaka), East Champaran at Motihari, in connection with Ghorasahan P.S. Case No.382/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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