

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.731 of 2017

Arising Out of PS.Case No. -107 Year- 2016 Thana -JALALGARH District- PURNIA

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Md. Mannowar, S/O of Tahir, R/O Village - Shadipur, P.S.- Jalalgarh,
District- Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Advocate.

For the Opposite Party/s : Mr. Sri Panchanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 25-01-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Jalalgarh P.S. Case No. 107 of 2016 registered under Sections 363
and 366A of the Indian Penal Code.

The accusation is that, on 23.05.2016, minor daughter
of informant, aged about 16 years, moved from house without
giving information to the family members but she did not return,
while search was made but no trace was found. On 14.07.2016,
brother of informant received the call on mobile of his daughter and
again her daughter talked with his brother but she did not disclose
her address.

Learned counsel for the petitioner submits that, in fact,
daughter of the informant is major and she fell in love with this



petitioner and moved from house according to her sweet will. But when she returned from Delhi after five months, informant got recorded her statement, under Section 164 Cr.P.C., in which, she stated about her kidnapping and committing rape by this petitioner. Further submission is that while the occurrence took place on 23.05.2016 and daughter of informant talked on mobile to the cousin of informant on 14.07.2016 but the F.I.R. is lodged on 01.10.2016 against unknown. It is further submitted that while it is alleged in the F.I.R. that the daughter of informant was aged about 16 years but in the medical examination, her age is assessed in between 19 to 20 years.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Purnea, in connection with Jalalgarh P.S. Case No. 107 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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