

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41427 of 2016

Arising Out of PS.Case No. -505 Year- 2015 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

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Sahadat @ Sonelal Son of Shakir Ali Resident of Village- Majhaulia, Police
Station - Sadar, District Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mazharul Hassan, Advocate.
For the Opposite Party : Mr. Ram Sumiran Roy, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 13-01-2017 Heard both sides.

The petitioner apprehends his arrest in Sadar P.S. Case
No. 505 of 2015 registered for the offences punishable under
Sections 363, 365 and 366(A) of the Indian Penal Code.

The informant Md. Sahjad, the father of the victim,
alleged that on 30.09.2015, his daughter went to purchase some
articles from a shop situated in the same mohalla but she did not
return. The informant further alleged that four months ago Sahadat
@ Sonelal, the petitioner threatened his daughter to kidnap.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has, in fact, committed no offence.
During course of investigation, the victim made her statement
under Section 164 of the Code of Criminal Procedure in paragraph



-62 of the case diary and she of course alleged that the petitioner kidnapped her on a motorcycle and put handkerchief on her nose thereafter she became unconscious and she found herself in a bush. Aftab her co-villager untied her knots and took her to house but Aftab in paragraph – 96 of the case diary stated that he was not aware of any such occurrence. It is further submitted that in paragraph 67 and 68 of the case diary, the witnesses have stated that the father of the victim wanted to marry his daughter with the petitioner, but father of the petitioner was not willing as the petitioner was not doing any job. Even the victim did not allege any ill-treatment at the hands of the petitioner, but it appears from perusal of the statement of the victim, who is the best witness of her kidnapping, that it was the petitioner who kidnapped her on a motorcycle and she was made unconscious. When she got her consciousness, she found herself in a bush. The victim is admittedly 12 years old.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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