

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17679 of 2017

Arising Out of PS.Case No. -348 Year- 2016 Thana -BAKHTIARPUR District- SAHARSA

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1. Md. Miraj @ Miraj, son of Md. Seraj, resident of Village- Bhorha, Police Station- Bakhtiyarpur, District- Saharsa.

.... Petitioner

Versus

1. The State of Bihar.
2. Afsana Khatoon, wife of Md. Miraj and daughter of Md. Israil, resident of Village- Bhorha, Police Station- Bakhtiyarpur, District- Saharsa.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Syed Masleh-Uddin Ashraf, Adv.

For the Opposite Parties : Mr. Umeshnand Pandit, APP 187

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 27-04-2017 Heard the learned counsel for the petitioner and the State.

This is a petition for grant of anticipatory bail for offence under Sections 365 and 366A/34 of the Indian Penal Code.

The first information report was lodged on missing of the daughter of the informant. There are six persons under suspicion. The victim-girl in her statement under Section 164 of the Criminal Procedure Code levelled allegation of rape against three persons, Zahoor, Nizam and Rizwan.

Submission of the petitioner is that the matter is of love affairs and, in fact, the victim had already married with the petitioner. Under pressure of the family



members she had given her statement under Section 164 of the Criminal Procedure Code.

Considering the facts and circumstances specially the fact that the daughter had not alleged anything against the petitioner, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Bakhtiyarpur P.S. Case No. 348 of 2016** to the satisfaction of the **Chief Judicial Magistrate, Saharsa**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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