

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22268 of 2017

Arising Out of PS.Case No. -158 Year- 2016 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

Emteyaj @ Sk. Emteyaj son of Sk. Jamal Resident of Village - Andra
Pakahi, P.S. - Adapur, District - East Champaran (Motihari).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 17-05-2017 Heard both sides.

The petitioner seeks bail in Adapur P.S. Case No.
158/2016, registered for the offences punishable under Sections
420, 376 of the Indian Penal Code.

The victim filed complaint case on the basis of which
the present F.I.R. was registered. The victim alleged that on
07.07.2016 while she was going to her field near the house one
person namely, Sk. Khursid came on a motorcycle threw some
dust, the victim became unconscious. The victim got her
consciousness and found herself in a room where Sk. Khursid and
Emteyaj (petitioner) were present. The victim alleged that they
established physical relation with her.



Learned counsel for the petitioner submits that the petitioner happens to be the son of sister of Sk. Khursid. The petitioner did not kidnap the victim. The victim made allegation of establishing physical relation on the pretext of marriage against Sk. Khursid. The victim was recovered on the next day, but the complaint petition was filed on 31.08.2016. The allegation of kidnapping itself appears to be very suspicious and doubtful rather it appears that the victim herself went along with Sk. Khursid.

Learned A.P.P. however, opposed the prayer for bail of the petitioner.

Considering the facts aforesaid, the petitioner, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Raxaul, Motihari in connection with Adapur P.S. Case No. 158/2016.

(Prabhat Kumar Jha, J.)

Vinita/-

U		T	
---	--	---	--

