

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1738 of 2017

Arising Out of PS.Case No. -21 Year- 2015 Thana -KADWA District- KATI HAR

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1. Saheb Alam, Son of Nasimuddin, Resident of Village- Bajitpur, P.S.-
Abadpur, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 18-01-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is in custody since 15.11.2016 in connection
with Kadwa P.S. Case No. 21 of 2015 registered under Sections 366(A)
and 120B of the Indian Penal Code.

3. Accusation is of kidnapping of the daughter of
complainant, namely, Mirina Khatoon along with other co-accused
persons which she was returning her home.

4. Learned counsel for the petitioner has submitted the
petitioner has not committed any offence of kidnapping and he has
falsely been implicated in this case. From perusal of the statement
under Section 164 of the Cr.P.C, it is evident that he victim girl has
married with the petitioner in the court out of her sweet will. Hence, no
case under Section 366(A) is made out against this petitioner. The



petitioner is rotting in judicial custody for the last two and half months.

4. Considering the nature of accusation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar in connection with Kadwa P.S. Case No. 21 of 2015.

(Arvind Srivastava, J)

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