

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31947 of 2017

Arising Out of PS.Case No. -206 Year- 2017 Thana -PURNEA SADAR District- PURNIA

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1. MD. TABREJ @ SAHRUKH @ SAHRUKH KHAN @ SALLU Son of
Md. Sagir, R/o Village- Kaliganj, P.O.- Pokharia, P.S.- Sadar, District-
Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Arun Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 30-08-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner is languishing in judicial custody since
26.04.2017 in connection with Sadar (Mu) P.S. Case No. 206 of
2017 for offences punishable under Sections 363, 366-A/34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter Bhanupriya, aged 17 years, went from her house
on 23.04.2017 at 10.00 a.m. to purchase house hold articles from
the market but did not return and on search, he got information
that the petitioner along with two other co-accused has kidnapped
his daughter.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has



been falsely implicated in this case. He submits that the girl was recovered on next day and no overt act has been alleged against the petitioner by the victim girl in her statement under Section 164 Cr.P.C.. He further submits that charge-sheet has already been submitted and there is no chance of tampering with the prosecution witnesses by the petitioner.

However, learned counsel appearing for the informant as well as learned APP for the State vehemently opposes the prayer for bail stating therein that the victim girl is a minor, aged 16-17 years, as also assessed by the medical report and that she was taken away by the petitioner and two other accused, as stated by the victim girl in her statement under Section 164 Cr.P.C. but was recovered on the railway station by the police when she started shouting.

Considering the facts and circumstances and the materials on record, I am not inclined to grant the privilege of bail to the petitioner at this stage in connection with Sadar (Mu) P.S. Case No. 206 of 2017 pending in the court of learned Chief Judicial Magistrate, Purnea.

(Nilu Agrawal, J)

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