

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44298 of 2017

Arising Out of PS.Case No. -399 Year- 2017 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Shamshad Raien @ Shamshad Rain @ Md. Shameshad Rain @ Shamsuddin Son of Late Akbar Rain Resident of Village-Mohania, Ward No. 7, Stuarganj, P.S.-Mohania, district-Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Smt. Asha Devi

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 13-11-2017 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is languishing in judicial custody since 22.07.2017 in connection with Mohania P.S. Case No. 399 of 2017 for offences punishable under Sections 366-A, 323, 506, 34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his daughter, aged 16 years, had gone to take tuition but did not return. He got information from his neighbor Samaullah Khan that he saw the victim with one Ashraf Raien on the railway platform. When the informant went to the house of the said Ashraf Raien his brothers including the petitioner threatened and



demanded Rs. 20 lakhs for release of the victim girl.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and just because he is the brother of one Ashraf Raien, he has been made accused. He submits that the victim girl in her statement under Section 164 Cr.P.C. has stated that she was having love affair with one Rahul with whom she has married and her age has been ascertained by the Magistrate as 19 years, as such, she is a major. He further submits that no overt act has been committed and the victim girl has denied the prosecution story.

Learned APP for the State is present.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Mohania P.S. Case No. 399 of 2017.

(Nilu Agrawal, J)

Rajesh/-

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