

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51202 of 2016

Arising Out of PS.Case No. -5 Year- 2015 Thana -AMAUR District- PURNIA

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Md. Tabrej, son of Md. Mozib, Resident of Village- Bhawanipur, Police
Station- Amour, District- Purnea (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

5 27-02-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Amour P.S. Case no. 05 of 2015, registered under Sections 366(A)/34
of the Indian Penal Code.

The accusation is of kidnapping of daughter of the
informant by Md. Anwar with the help of Md. Nadim and Md. Kalim.

Learned counsel for the petitioner submits that, in fact,
there was love affairs in between Md. Anwar and the victim daughter
of the informant, who after leaving the village performed marriage at
Panipath, but later on with ulterior motive the petitioner has falsely
been implicated in this case. Further submission is that in para 7 and 8
of the case diary and in supervision note of the DSP it has come that
Nadim had made proposal to the parents of the victim to perform
marriage, but the same was refused. Moreover, the victim named the



petitioner along with Nadim and Anwar, but no allegation of forcible intercourse is made against the petitioner. Further submission is that similar situated co-accused Rahbar, Akbar and Seema have already been allowed Anticipatory bail on 18.04.2016 passed in Criminal Miscellaneous No. 10896 of 2016.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Judge-VI-cum-Addl. Chief Judicial Magistrate, Purnea in connection with Amour P.S. Case No. 05 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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