

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46544 of 2017

Arising Out of PS.Case No. -325 Year- 2016 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

=====

Shekh Nasim @ Sk Nasim @ Md. Nasim, Son of Late Sheik Sarfullah,
Resident of Loknathpur, Police Station- Muffasil, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 22-09-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Muffasil P.S. Case No.325 of 2016 registered under Sections
366(A) and 506 of the Indian Penal Code.

The accusation is of kidnapping the daughter of the
informant by Jitendra Paswan with the assistance of the petitioner
and three other F.I.R. named accused.

Learned counsel appearing on behalf of the petitioner
submits that, in fact, there was love affair in between Jitendra
Paswan and the daughter of the informant but due to dirty village
politics, the petitioner has falsely been implicated in this case.



While the victim, the daughter of the informant, in her statement as recorded under Section 164 of the Code of Criminal Procedure, has stated about carrying her forcibly by all the F.I.R. named accused including the petitioner but she has specifically stated about committing rape on her by Jitendra Paswan. At the time of recording the statement of the victim under Section 164 of the Code of Criminal Procedure, her age has been assessed in between 17-18 years.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran, in connection with Muffasil P.S. Case No.325 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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