

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28494 of 2017

Arising Out of PS.Case No. -58 Year- 2017 Thana -UCHAKAGAON District- GOPALGANJ

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1. Samir Alam @ Md. Irshad, Son of Late Md. Wasir Resident of Village-
Srirampur, Police Station-Bahera, District-Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Ram Bachan Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-07-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in connection with

Uchakagaon P.S. Case No. 58/17 for offences punishable under

Sections 363, 366A of the Indian Penal Code.

The prosecution case, as lodged by the informant,

is that his daughter Priti Kumari, while going to deposit her Adhar

Card, has been kidnapped by the petitioner. The photograph of

petitioner has been suffixed on the written report.

It has been submitted by the learned counsel for

the petitioner that he is innocent, both had love affair and the

victim girl eloped with him to Delhi. It is further submitted that

the confessional statement of the petitioner before the police has



no evidentiary value in the eye of law.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner has confessed his guilt that he had taken the victim girl for purposes of selling her and the victim girl in her statement under Section 164 Cr.P.C. has stated that the petitioner forcibly took her, confined in a room, tortured and assaulted her for establishing physical relation.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Uchakagaon P.S. Case No. 58/17, pending in the court of learned ACJM-IX, Gopalganj.

Application is, accordingly, rejected.

(Nilu Agrawal, J)

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