

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17060 of 2017

Arising Out of PS.Case No. -46 Year- 2016 Thana -BALIGAON District- VAISHALI(HAJIPUR)

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Md. Taushik, Son of Md. Rashid, Resident of Village- Dargah Bela, P.S.-
Beligaon, Anchal- Patepur, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 16-05-2017 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in
Baligaon P.S. Case No.46/16 registered for the offence under
Section 366(A) of I.P.C.

Accusation is of kidnapping of sister, Sanauwar
Khatoon, of the informant by Md. Wasim with the help of four
other co-accused by Bolero Car. Sister of the informant was
recovered from Samastipur and her statement was recorded under
Section 164 Cr.P.C. in which she stated that when she was going
to tailor at Chiknauta Chawk she was forcibly taken into Bolero
vehicle by named accused Md. Wasim in which six persons
were sitting. She stated that Md. Firoz shut the mouth of the victim



and used to threaten her to kill her father and uncle. She was taken to Samastipur where she was kept in a room. From where she was sent to Punjab with Md. Wasim by his father Md. Nasim where she was kept confined in a room and Md.Wasim used to develop physical relation on the assurance of marriage. After some days Md.Rizwan and Md.Firoz reached Punjab and both attempted to commit sex with her but she refused upon which they told to sell her to another person. In the evening Wasim told her that we are going to market but they did not return. Next day she apprised her landlord of the entire fact. Then he managed fair and got her boarded in train and she got down at Samastipur.

Learned counsel for the petitioner submits that the petitioner, Md.Taushik, is not named in the F.I.R. Due to elopement the victim left her house with Md.Wasim and after some months she returned and gave her statement under Section 164 Cr.P.C. at the instruction of her parents showing the involvement of the petitioner. Further submission is that co-accused, Md. Pappu, Md.Firoz, Md. Rizwan and Md.Nasim have already been extended the privilege of anticipatory bail by coordinate Bench of this Court vide order dated 01.12.2016 passed in Cr.Misc. No.44422 of 16. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case,



let the petitioner, above named, in the event of his arrest or surrender before the court below within four weeks from today be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of A.C.J.M. XII, Vaishali at Hajipur, in Baligaon P.S.Case No.46/16 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Rajendra Kumar Mishra, J)

AnilKrSinha/-

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