

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39796 of 2017

Arising Out of PS.Case No. -101 Year- 2017 Thana -DHORAIYA District- BANKA

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Md. Irsad @ Md. Irsad Alam, S/o Late Sabbir, Resident of Village-Rangaon
Bujurg, Police Station-Dhoraiya, District-Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Smt. Sahin Begam

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 31-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Dhoraiya P.S.
Case No. 101 of 2017 for offences punishable under Sections
366A/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his 14 year old sister Gufrana Praveen went to the tailor and
did not return. It is alleged that the petitioner along with other co-
accused has abducted his sister for the purpose of marriage.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in the
aforesaid case. The victim girl had voluntarily gone with the
petitioner and now has performed Nikah with him. He submits that
the statement of the victim girl under Section 164 of the Cr. P.C.
her age has been stated and assessed by the Magistrate to be 19



years and that she has also stated that he had gone out of her own freewill with the petitioner. He submits that radiological report only suggests that she is below 18 years and that charge-sheet has already been submitted and he is languishing in judicial custody since 03.06.2017.

However, learned APP for the State opposes the prayer for bail.

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 Additional Chief Judicial Magistrate-IV, Banka in connection with Dhoraiya P.S. Case No. 101 of 2017.

(Nilu Agrawal, J)

Devendra/-

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