

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56474 of 2017

Arising Out of PS. Case No.-323 Year-2017 Thana- BAGHA District- West Champaran

Arif Khan, S/o Meraj Khan @ Meraj Ahmad, R/v- Narainapur, Kumharpatti,
P.S.- Bagah (Pathkhauli), Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : Mr. SRI PANCHANAND PANDIT

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 11-01-2018 Heard learned counsel for the petitioner and the State.

This is an application for regular bail in connection with Bagaha (Pathkhauli) P.S. Case no. 323 of 2017 registered for the offences punishable under Section 366A of the Indian Penal Code.

Allegation, as per written complaint made by informant on 23.06.2017, is that on 23.06.2017 when she was returning from Gorakhpur by train along with her daughter Khushi Kumari, she (her daughter) got down from train to attend the call of nature. Thereafter, her daughter did not return and she received a call on her mobile phone and the caller told that her daughter was with him and she would return on the next day. After seven days when her daughter did not return, she lodged a FIR on 01.07.2017. The girl was recovered and her statement



was recorded before the Magistrate under Section 164 of the Code of Criminal Procedure in which she has stated that petitioner took her away with him and kept her in his house and thereafter she was subjected to medical examination. As per medical report, her age was assessed to be 17 to 19 years. The medical report also reveals that she has not been subjected to any sexual assault and there has been no sexual intercourse in recent days.

Considering the facts and circumstances of the case, let above named petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned ACJM, Bagaha, Distt. West Champaran, in connection with Bagaha (Pathkhauli) P.S. Case No. 323 of 2017.

(S. Kumar, J)

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