

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25790 of 2018

Arising Out of PS. Case No.-137 Year-2017 Thana- AMAUR District- Purnia

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Guddu Alam @ Md. Guddu Alam @ Abunasar S/o Monuddin, R/o Vill.-
Belghachhi, P.S.- Amour, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick

For the Opposite Party/s : Mr. Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 18-05-2018 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in connection with
Amour P.S. Case No. 137 of 2017 dated 29.09.2017
instituted for the offences under Sections 363, 366/34
of the Indian Penal Code.

The wife of the informant, after coming out of
her house for attending to the call of nature, never
returned. A search was made for her but to no avail. The
informant claims to have learnt from somebody that the
petitioner had earlier fought with the father-in-law of the
informant and had threatened him that he would abduct
his daughter from her matrimonial home. Therefore, the
informant suspected the hands of the petitioner in the
aforesaid occurrence.



The records reveal that after the victim returned, she made a statement before the police in which she has supported the case of the informant that she was abducted by the petitioner and others. However, in her statement under Section 164 Cr.P.C. though she claims to have been abducted by the petitioner, but has narrated a different story. She had gone to a doctor for getting herself treated and on way, she was abducted by the petitioner, who took her to the house of his associate viz. Pappu. There, she heard the conversation amongst the accused persons that she would be administered cow's meat for converting her to Islam religion. In the meantime, she could grab a telephone which was kept there only, and called up her brother and others.

Learned counsel for the petitioner has submitted that the aforesaid story narrated in the 164 statement does not appear to be probable. In the first instance, it appears rather curious that while the victim was kept in confinement, she would be in a position to get hold of a mobile telephone to inform her brother or other relative. Secondly, there is no reason why the victim would be abducted from her matrimonial home even if the petitioner had a fight with her father. Learned counsel for the petitioner has further submitted that it appears that the petitioner has been made



accused in this case at the instance of the father-in-law of the informant (father of the victim) with whom he had some dispute in the past.

The petitioner has clean antecedent and is in custody since 07.10.2017.

For the aforestated facts, the petitioner above named is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnia in connection with Amour P.S. Case No. 137 of 2017.

(Ashutosh Kumar, J)

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