

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35803 of 2018

Arising Out of PS.Case No. -847 Year- 2017 Thana -ARARIA District- ARRARIA

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1. Md. Jamshed @ Jamshed, S/o Late Sadir, R/o Village- Rampur
Kudarkatti, Gaiyari, P.S.- Araria, presently at Seikh Tola Musahari,
P.S.- Araria, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandeep Sahi, Advocate
Mr. Bikramdeo Singh, Advocate
Mr. Kundan Kumar Singh, Advocate
Mr. Bishwajeet Singh, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 21-08-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Sections 363/365/366A/34 of the Indian
Penal Code.

Allegation against the petitioner and others is of
kidnapping the daughter of the informant. The victim has also
supported the aforesaid allegation in her statement recorded under
Section 164 Cr.P.C.

Submission of the learned counsel for the
petitioner is that the matter is of love-affairs and both have



married on 14.12.2017, vide Marriage Certificate at Annexure-2. The aforesaid fact has been corroborated by the joint photograph of the two, which does not show that any force was used against the victim. Moreover, the doctor has assessed her age 19-20 years. Further submission is that the statement under Section 164 Cr.P.C. is under pressure of the parents.

Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Araria P.S. Case No.847 of 2017, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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