

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19350 of 2019

Arising Out of PS. Case No.-342 Year-2018 Thana- SHASTRINAGAR District- Patna

SADDAM Son of Serajuddin @ Md. Serajuddin R/o Mohalla- Samnpura,
Raja Bazar, Meh딘nagar, P.S.- Shastri Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Singh

For the Opposite Party/s : Mr.Akbar Ali

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 21-06-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Shastri Nagar P.S. Case No. 342 of 2018, registered for the
offences punishable under Section 366 (A)/34 of the Indian
Penal Code.

Daughter of the informant aged about 18 years is said
to have been kidnapped by the petitioner and other named
accused persons.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. Petitioner
has no concern with the aforesaid occurrence. He has been
falsely implicated in this case. Victim in her statement recorded



under Section 164 of the Cr.P.C. has clearly stated that she had suo motu gone to the house of the petitioner to take the file and stayed there for ten days. Md. Sadam and Md. Serajuddin were not allowing her to leave their house. Subsequently, victim was recovered by the police from the said house. Victim has not whispered about her kidnapping by the petitioner. Utmost offence under Section 342 I.P.C. is made out against the petitioner which is bailable.

On the other hand, learned A.P.P. for the State vehemently opposing the bail petition submitted that the petitioner has criminal antecedent as earlier case of kidnapping of the said girl has been lodged against him by the informant, hence petitioner does not deserve bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seeks regular bail and the learned Court below is directed to pass an appropriate order in accordance with law without being prejudiced by this order considering the facts and circumstances of the case and specially in view of the statement of victim



recorded under Section 164 Cr.P.C. regarding his wrongful
confinement in the house by the petitioner on the very day of
surrender of the petitioner.

(Prakash Chandra Jaiswal, J)

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