

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18454 of 2019

Arising Out of PS. Case No.-248 Year-2018 Thana- CHHATAUNI District- East Champaran

Samir Khan @ Belal Khan, aged about 26 years, Male, Son of Late Ashraf Ali Khan, Resident of Village Baniyapatti, Near Urdu Library Road, Khoda Nagar, P.S. Chhatauni, Motihari, District East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anjum Perveen

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-03-2019 Heard both sides.

Petitioner apprehends his arrest in Chhatauni P.S.
Case No.248 of 2018, registered under Sections 363 and 366(A)
of the Indian Penal Code.

The father of the victim alleged in his statement that on 02.07.2018, his daughter left her house for purchasing Chowmin but she did not return. On 27.08.2018, his daughter called her brother that she was kidnapped by Samir Khan and she was kept in cavity. She further disclosed that her life was in danger.

Learned counsel for the petitioner submits that the victim appeared before the court after having come to know about the institution of the case and got her statement recorded



under Section 164 Cr.P.C., Annexure-2. She disclosed in her statement that she voluntarily left her house and went along with the petitioner to Sultanpur. She solemnized marriage in a court in Delhi. She is pregnant for three months.

Taking into consideration the facts that the victim, who herself disclosed her age to be 23 years and the court also assessed her age to be 22 years at the time of making statement under Section 164 Cr.P.C., denied the factum of her kidnapping, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, 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 the learned CJM, Motihari in connection with Chhatauni P.S. Case No.248 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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