

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42246 of 2019

Arising Out of PS. Case No.-152 Year-2018 Thana- NAUHATTA District- Saharsa

Shamsher Khan @ Samser Khan, Son of Mannan Khan, Resident of Village-
Nauhatta, P.S.- Nauhatta, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 09-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Nauhatta P.S. Case No. 152 of 2018, registered under
Sections 363 and 366(A) of the Indian Penal Code.

The accusation is that on 03.10.2018, at about 9
P.M., Madhu Kumari, minor daughter of informant, Upendra
Bhagat, was accompanied by her friend, Kajal, sister of
Shamsher Khan @ Samser Khan (petitioner) at her house.
Thereafter, his daughter was kidnapped by Shamsher Khan @
Samser Khan (petitioner) with the help of his other family
members.

Learned counsel for the petitioner submits that, in



fact, daughter of the informant left her house according to her own sweet will and performed the marriage with the petitioner, which has been disclosed by the daughter of informant in her statement recorded, under Section 164 of the Cr.P.C., on 28.01.2019, which would appear from Annexure 2 to the application. Further submission is that in the medical examination, the age of the victim, daughter of the informant, was assessed as 17 to 19 years, which would appear from annexure 3 to the application.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa, in connection with Nauhatta P.S. Case No. 152 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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