

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78248 of 2018

Arising Out of PS. Case No.-487 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

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Md. Irfan S/o Abul Hassan Resident of Village-Mohammadpur Mobarak,P.s.
Maniyari, Distt.-Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanchay Srivastava
For the Opposite Party/s : Mr.Sri Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 16-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Gopalganj Town P.S. Case No.
487 of 2018 registered for the offence punishable under Sections
363 and 366A read with Section 34 of the Indian Penal Code.

Allegation is of missing of three girls from Gopalganj
Hospital Chauk. Allegation against the petitioner is that he has
taken the missing girls with him.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case. It has
been further submitted that in her statement under Section 164
Cr.P.C., one girl, namely, Neha Kaushar has categorically stated
that the petitioner is not responsible for taking her out and she
along with her sister themselves went with the petitioner to



Muzaffarpur, then Kolkatta then Vishakhapatnam and, thereafter, to Delhi. She has further stated that she knew the petitioner since 2014 and they were having love affair. She has also stated that she had performed Nikah with the petitioner on 01.09.2018, a copy of such Nikahnama of victim girl has been annexed as Annexure 2. Petitioner has no criminal antecedent and he is in custody since 06.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Town P.S. Case No. 487 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

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