

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73484 of 2018

Arising Out of PS. Case No.-155 Year-2018 Thana- JALALPUR District- Saran

Md. Tabarak Hussain @ Sameer, S/o Afajal Hussain, Resident of Village-
Bangra Banshidhar, P.S. Kurhani,,Distt.-Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 21-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Jalalpur P.S. Case No.155 of 2018** instituted for the offence under Section(s) 366 Indian Penal Code.

The informant has alleged in the written report that her daughter had gone to market, but she did not return. The informant checked out the mobile phone of her daughter and found that last call was received from one Rahul Kumar. The informant raised suspicion against Rahul Kumar.

The victim girl has been recovered. She has given statement under Section 164 CrPC, wherein, she has stated that she was taken by two boys, namely, Akhter and Sameer on the pretext that they are taking her to her brother's house as he has



called her. In the statement, she has stated that she finally got out from the car after taking the key and fled away.

Counsel for the petitioner submits that it has come in para 40, 41, and 42 of the case diary that victim was found sitting at lonely place at Chapra railway station. She was recovered from that place. She has not been recovered from possession of the petitioner. It is further submitted that entire story, as stated by the victim in her statement under Section 164 CrPC, is only to save Rahul, who has been named by mother of the victim.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate-4, Saran at Chapra**, in connection with **Jalalpur P.S. Case No.155 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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