

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74683 of 2018

Arising Out of PS. Case No.-258 Year-2018 Thana- PHULWARISHARIF District- Patna

Md. Razi Alam @ Md. Razi, Son of Md. Shamshuddin, aged about 50 years,
R/o Federal Colony, P.O. & P.S.- Phulwari Sharif, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nikhil Kumar Agrawal, Adv. Mr. Aditi Hamsaria, Adv. Mr. deepika Sharma, Adv.
For the Opposite Party/s :		Mr. Ajay Kumar-1, APP.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 363, 366(A), 384 and 34 of the Indian Penal Code.

The prosecution case as per the written report of Md. Naushad Akhtar, submitted to the S.H.O., Phulwarisharif P.S. is to the effect that when the daughter of the informant, Neha Parveen was going to attend coaching classes, she was abducted by the son of the petitioner, Bittu and one other unknown person. It is further alleged that earlier the son of the informant, used to tease the daughter of the informant and when the informant went to the house of the petitioner for asking about



his daughter, the petitioner pushed the informant down and demanded Rs. 2,00,000/- for releasing his daughter.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against the son of the petitioner, Bittu and the accusation of kidnapping is not against the petitioner. The victim in her statement recorded under Section 164 Cr. P.C. has got her age recorded as 17 years when the Court has assessed her age as such, and further she has levelled accusation against the son of the petitioner. From the perusal of the statement recorded under Section 164 Cr. P.C., it appears that the victim girl has some relationship with the son of the petitioner. Moreover, for the occurrence of 18.03.2018 at 10.00 A.M., FIR was registered on 07.04.2018, at 07.15 P.M. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner is named in the FIR.

Considering the delayed lodging of the case and the thrust of accusation is against the son of the petitioner, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of



arrest or surrender before the learned Court below within a period of 12 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 **A.C.J.M.-XV, Patna**, in connection with **Phulwarisharif P.S. Case No.258 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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