

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74787 of 2019

Arising Out of PS. Case No.-89 Year-2019 Thana- JOKIHAT District- Araria

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Moharram (Male) aged about 32 years son of Israel @ Israfil, Resident of village- Karhara, Ward No.10, Police Station- Jokihat (Mahalgaon), District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anamul Haque

For the Opposite Party/s : Mr.Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
S.T. Case No. 149 of 2019 arising out of Jokihat (Mahalgaon)
P.S. Case No. 89 of 2019 (G.R. Case No. 830 of 2019)
registered for the offence punishable under Sections 363, 366-A
of the Indian Penal Code.

The allegation against the petitioner is that petitioner
allured the daughter of the informant for marriage and abducted
her.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case inasmuch as
the petitioner happens to be the brother- in- law of the victim



girl. Learned counsel further submits that there was dispute in between the parties in relation to a demand of Rs. 20,000/- from the petitioner by his *Sala* (brother- in- law) in order to meet the expenses of treatment of petitioner's pregnant wife. Learned counsel further refers to the statement of the victim girl recorded under Section 164 of the Cr.P.C. in which she has merely stated that she was taken away forcibly by the petitioner, but no excesses have been committed upon her. Learned counsel further submits that petitioner has got no criminal antecedent and he is in custody since 09.03.2019. Learned counsel also submits that in the medical report the doctor has opined the age of the victim girl as 18 years.

Having heard learned counsel for the parties and taking into consideration the fact that petitioner has got no criminal antecedent, there appears to be a dispute between the families relating to money transaction and the petitioner is in custody since 09.03.2019, I am inclined to enlarge the petitioner on regular bail.

Accordingly, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IVth, Araria in



connection with S.T. Case No. 149 of 2019 arising out of Jokihat (Mahalgaon) P.S. Case No. 89 of 2019 (G.R. Case No. 830 of 2019) with the following conditions:

(i) That one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(ii) That the petitioner shall co-operate during the trial of the case and make himself available as and when required by the Police, and if he defaults on two consecutive dates, without prior permission of the trial court, the prosecution is free to move for cancellation of his bail bond.

(Anil Kumar Sinha, J)

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