

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82320 of 2019

Arising Out of PS. Case No.-224 Year-2019 Thana- KURSAKANTA District- Araria

Md. Israfil Alam, Son of Md Rahman, Resident of Village - Bathnaha Station Chowk, P.S.- Jogbani, District - Araria, at present c/o Kalimuddin of village - Maratipur, ward No.- 04, P.S.- Kursakanta, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Thakur

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 12-12-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Kursakanta P.S. Case No. 224 of 2019, registered under Sections 363 and 366 of the Indian Penal Code.

The accusation is that petitioner, Md. Israfil Alam, was driver of the vehicle of uncle of the informant, Nikhat Khatoon. On 03.09.2019, petitioner asked the informant to come at Hatta Chouck, on which, informant went there then petitioner asked her to go to Delhi. Thereafter, petitioner accompanied her at Jogbani Station Chouck. In the meantime, on suspicion, SSB personnel caught hold her, while petitioner succeeded to flee away. On query, she disclosed about carrying her by the



petitioner at Delhi. Thereafter, petitioner was also apprehended and information was also given to her parents, who come there and accompanied her.

Learned counsel for the petitioner submits that the statement of victim-informant was recorded under Section 164 of the Cr.P.C., in which, her age was assessed about 16 years, while she disclosed her age as 17 years and she has not stated about about giving pressure by the petitioner to go to Delhi. In fact, she had come alone from her parental house near the petitioner. Further submission is that petitioner is in custody since 05.09.2019.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M.-5, Araria, in connection with Kursakanta P.S. Case No. 224 of 2019. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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