

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.420 of 2020

Arising Out of PS. Case No.-442 Year-2019 Thana- PARBATTa District- Khagaria

MD. AMJAD KHAN, Son of Md. Ikram Khan, Resident of Village -
Nauranga Rupauhli, P.S.- Parbatta, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 28-05-2020 This has been posted before me for hearing through video-conferencing, under the orders of Hon'ble the Chief Justice, in view of Nation passing through lockdown as an aftermath of the outbreak of COVID-19 pandemic.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Parbatta P.S. Case No. 442 of 2019, G.R. No. 3253 of 2019 for the offence punishable under Sections 363, 366/34 of the Indian Penal Code.

The prosecution case in brief is that informant Udha Sah filed a written report before SHO, Parbatta P.S. alleging therein that on 04.11.2019 in the morning his daughter Sweety Kumari aged about 20 years had gone to attend the call of nature. In the



meantime, Md. Amjad Khan and co-accused Md. Ekram Khan forcibly abducted her. The informant got his daughter married in March, 2019. The informant made search and with the help of villagers his daughter recovered from the house of petitioner at about 11.00 PM and was brought to P.S. accused persons threatened him that if they would lodge FIR they will kill him and sell his daughter.

Learned counsel for the petitioner submits that the petitioner is innocent and committed no any offence as alleged against him rather he has falsely been implicated in the present case due to village party politics. The alleged offence under Section 366/34 is no way applicable against the petitioner and the offence under Section 363 of the I.P.C. is bailable in nature. The petitioner is in custody since 05.11.2019 and has no any criminal antecedent.

Learned APP for the State submits that the petitioner is named in the FIR. The informant in his re-statement at para 4 of the case diary has supported the version of FIR and stated that petitioner and victim girl has been recovered from the house of the petitioner. The statement of victim girl has been recorded under Section 164 Cr.P.C. is that the petitioner took away forcibly.



Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected.

Accordingly, this application is dismissed at this stage.

(Anjani Kumar Sharan, J)

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