

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1945 of 2020

Arising Out of PS. Case No.-1 Year-2019 Thana- RAMNAGAR District- West Champaran

Habibur Rahman @ Bhutto Son of Sheikh Akhtar R/o Village- Jogia, P.S.-
Ram Nagar, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Md. Aslam Ansari, Adv.

For the Opposite Party : Mr. Dilip Kumar No. 1, APP.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 20-03-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Ramnagar P.S. Case No. 1 of 2019 for the offence registered
under Sections 366/120B/506/34 of the Indian Penal code.

The allegation is regarding the co-accused persons
having kidnapped the victim girl.

The learned counsel for the petitioner has referred
to the statement made by the victim girl before the learned
Magistrate under Section 164 of the Cr.P.C., which has been
reproduced in paragraph No. 73 of the Case Diary, which shows
that the victim girl has, without any coercion or pressure as also
in her full senses, disclosed before the learned Magistrate that



she was being regularly beaten by her mother and, therefore, she ran away to the house of her matrimonial grandmother and has also stated that she wants to live at her matrimonial grandmother's place. It is thus submitted by the learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. It is further submitted that the petitioner is having a fair antecedent, barring one other case, in which he is yet to be granted the privilege of bail. Lastly, it is submitted that the petitioner is languishing in custody since 11.08.2019.

The learned counsel appearing for the informant has vehemently opposed the prayer for bail and has submitted that the statement made by the victim girl before the learned Magistrate is not correct.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also considering the fact that the victim girl herself has denied the allegations levelled against the petitioner herein in her statement made before the learned Magistrate under Section 164 of the Cr.P.C., I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail bond of



Rs. 10,000/- (Ten Thousand) with two sureties of the like amount to the satisfaction of learned A.C.J.M. III, Bagaha, West Champaran in connection with Ram Nagar P.S. Case No. 1 of 2019. .

(Mohit Kumar Shah, J)

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