

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10405 of 2020

Arising Out of PS. Case No.-287 Year-2019 Thana- AAJAM NAGAR District- Katihar

MD. TASAUWAR @ MD. TASOUWAR HUSSAIN S/o Late Md.
Salimuddin R/o village- Kandaul, P.S.- Azamnagar, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 05-10-2020 Heard Mr. Bishwajeet Singh, learned counsel for the

petitioner and Mr. Arun Kumar Pandey, learned counsel

appearing for the State through video conferencing.

Petitioner apprehends his arrest in connection with

Azamnagar P.S. Case No. 287 of 2019 registered for the offence

under Section 366 (A), 506 , 34 of the I.P.C.

The allegation against the petitioner as per the First

Information Report is that the minor daughter of the informant,

aged about 14 years, was abducted. It has further been alleged

that four days after the occurrence one Md. Manauwar informed

the informant that his daughter was going with co -accused Md.

Samsher and the petitioner on the motorcycle of the petitioner.

Learned counsel for the petitioner submits that

petitioner has falsely been implicated in this case with oblique



motive. Learned counsel further submits that there is inordinate delay in lodging of the F.I.R., there is no specific allegation against the petitioner and the Police has collected no material to connect the petitioner with the present offence during the course of investigation. Learned counsel further submits that the informant is not the eye witness and the name of the petitioner has come on the basis of information given to the informant by some other person.

On the other hand, learned counsel for the State referring to the case diary submits that from perusal of paragraph nos. 5, 6, 9 of the case diary it would be evident that the informant and other witnesses have supported the prosecution story. He has further referred to paragraph nos. 18 and 19 of the case diary and submits that independent witnesses have also disclosed the name of the petitioner. Learned counsel referring to paragraph no. 68 of the case diary submits that co-accused has been granted regular bail by the learned court below. Learned counsel further submits that the victim girl is still trace less.

Having heard learned counsel for the parties and taking into consideration the materials available on record, the fact that the minor girl of the informant is still trace less and



investigation of the case is going on, I am not inclined to grant
anticipatory bail to the petitioner.

Accordingly, the same is rejected.

(Anil Kumar Sinha, J)

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