

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11874 of 2020

Arising Out of PS. Case No.-173 Year-2019 Thana- KADWA District- Katihar

Md. Zaheed @ Md. Jahid Son of Md. Malik @ Malik Resident of Village -
Harda Tola, Singalpur, P.O. - Sonaili, P.S.- Kadwa, Distt - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jibendra Mishra, Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-06-2020 Heard learned counsel for the petitioner and learned APP
for the State, through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Kadwa P.S. Case No.173 of 2019 (G.R. No. 3445 of 2019), registered under sections 366A, 120B and 34 of the Indian Penal Code.

As per allegation in the F.I.R., the 14 year old minor daughter of the informant was kidnapped by the accused persons.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the F.I.R. are false and concocted. The daughter of the informant is major and her statement was recorded under section 164 of the Cr.P.C., copy of which has been brought on record as Annexure-4 to the petition. She has



categorically stated therein that she was in love with the petitioner and had gone with him out of her own free will as her parents wanted to marry her elsewhere.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration that the petitioner has been stated to be aged 19 years while recording her statement under section 164 of the Cr.P.C. together with the contents of her statement therein, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Kadwa P.S. Case No.173 of 2019 (G.R. No.3445 of 2019), he will be enlarged 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 learned Chief Judicial Magistrate, Katihar, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Partha Sarthy, J)

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