

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26858 of 2020**

Arising Out of PS. Case No.-108 Year-2019 Thana- PURUSHOTTAMPUR District- West  
Champaran

HABIBULLAH SAI Son of Asgar Sai Resident of Village - Sukhlahi, Police  
Station - Mainatand, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar No 7  
For the Opposite Party/s : Mr. Chandrasen Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      19-10-2020                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State, through video  
conferencing.

The petitioner seeks regular bail in connection with  
Purushotampur Police Station Case No. 108 of 2019, registered  
for the offences punishable under Sections 341/323/363/366-  
A/34 of the Indian Penal Code.

The allegation, as per the First Information Report, is  
that the petitioner has abducted the minor daughter of the  
informant.

Learned Counsel for the petitioner submits that the  
petitioner has not committed any offence in the manner alleged  
and he has falsely been implicated in this case with oblique



motive. He further submits that the statement of the victim girl has been recorded under Section 164 of the Code of Criminal Procedure, 1973 (Annexure 2) and in her statement under Section 164 of the Code of Criminal Procedure, 1973, she has not supported the prosecution case and has stated that her marriage was solemnized with the petitioner 4-5 months ago and that some dispute had arisen between the petitioner and the informant and the informant wanted that the victim should take divorce from her husband, i.e. the petitioner, and has lodged the false case against the petitioner. He further submits that the learned Magistrate, while recording the statement of the victim girl under Section 164 of the Code of Criminal Procedure, 1973, has assessed her age as 18 years.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure, 1973, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, West Champaran, at Bettiah, in connection with Purushotampur Police Station Case No. 108 of 2019.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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