

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23564 of 2020

Arising Out of PS. Case No.-423 Year-2019 Thana- BELAGANJ District- Gaya

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Aarif Ali, Son of Shabbir Alam, Resident of Mohalla - Ward No. 23,
Harakhua, Urdu College, Gaus Nagar, P.S.- Gopalganj Town, District -
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 12-10-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

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

The petitioner seeks bail in connection with Belaganj P.S. Case No.423 of 2019 registered for the offence punishable under Sections 363 and 365 of the Indian Penal Code.

13 years' old daughter of the informant did not return



after she left for school on 20.12.2019. It is alleged that the School teacher used to facilitate contact of the victim with unknown persons.

Submission is of false implication. The petitioner is not named in the F.I.R. In her statement under Section 164 Cr.P.C., the victim girl has not stated the petitioner's name. In fact, she has stated that the abductor has promised to solemnize marriage and that he did not commit any bodily offence.

Learned APP has opposed the prayer. It is submitted that during investigation it has come that the petitioner had forcibly taken away the victim. The age of the victim even as per her statement under Section 164 Cr.P.C. is only 13 years. The allegations are therefore serious.

Considering the rival submissions and the nature of allegations, this Court is not inclined to allow the petitioner's prayer for bail. The same is rejected.

(Madhuresh Prasad, J)

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