

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30390 of 2020

Arising Out of PS. Case No.-292 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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Azhar Ali Akhtar @ Zafar Alam, aged about 21 years, ale, Son of Manjoor
Miya, Resident of Village- Gulab Chowk, Patkhauli, P.S.- Bairiya, District-
West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 18-12-2020 Heard Mr. Akhileshwar Kumar Shrivastva, learned

counsel for the petitioner and Mr. Ram Priya Sharan Singh,

learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Bettiah (Town) P.S. Case No. 292
of 2019, dated 13.04.2019, which, initially, was instituted
for the offences under Sections 366(A) and 120(B) of the



Indian Penal Code, but later, Section 8 of the Prevention of Children from Sexual Offences Act, 2012 also appears to have been added.

It has been alleged in the First Information Report that the victim was kidnapped for the purposes of marriage. However, the victim, on her being recovered, has made her statement under Section 164 Cr.P.C., in which she has said that she had run away with one Sartaj, who is the brother of the petitioner, of her own volition and later aforesaid Sartaj was made to detain and some of the relatives of aforesaid Sartaj tried to outrage her modesty also. In that connection, she has taken reference of the brother-in-law, father and other friends of aforesaid Sartaj.

Learned counsel for the petitioner has, therefore, submitted that the implication of the petitioner in the present case is only on the basis of suspicion and while taking reference of the accused persons, the victim, in her statement recorded under Section 164 Cr.P.C., has not referred to any act against the brothers of aforesaid Sartaj.

Regard being had to the nature of accusation



against the petitioner and the victim's statement recorded under Section 164 Cr.P.C., the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah (Town) P.S. Case No. 292 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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