

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69149 of 2019

Arising Out of PS. Case No.-108 Year-2019 Thana- BAHADURGANJ District- Kishanganj

MD. RAZZAQUE Son of Farmuddin Resident of Village - Sameshar
Debottar, P.S.- Bahadurganj, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Sinha
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 13-01-2020 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 366A, 384, 506/34 of the Indian Penal Code.

Informant who is the mother of the victim girl has alleged in her written complaint that when she returned after cultivating field on 11.04.2019 at about 5:00 pm FIR named accused Naiyar and Sakil forcibly took her minor daughter who is 17 years old on their motorcycle and when she went to the house of Sakil and asked about her daughter then Sakil demanded Rs. 1 Lacs in order to release her minor girl otherwise she will be sold.

Statement of the victim girl was recorded by learned Magistrate under Section 164 of the Cr.P.C in which she stated



that while she was returning after seeing marriage in her village, accused Shakil caught hold of her and forced her to sit on a vehicle on which Razaque (petitioner) and one Naiyar were present, thereafter she was given some cold drink which contained sedative and she lost her consciousness and found her in Rajasthan and thereafter in Lucknow and somehow she managed to escape and returned to Kishanganj.

It has been submitted on behalf of the petitioner that petitioner is not named in the FIR. Allegation is that she was taken forcibly on motorcycle whereas in her statement she has stated that she was taken away in a vehicle. The girl has been medically examined and her age has been found to be 18 to 20 years and there is no sign of any sexual assault on her. Petitioner has got no criminal antecedent and is in custody since 22.07.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Bahadurganj P.S. Case No. 108 of 2019**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court



concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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