

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85773 of 2019

Arising Out of PS. Case No.-391 Year-2019 Thana- PIRBAHOR District- Patna

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Md. Adil Raja @ Raja, aged about 20 years, male, S/o- Noor Alam @ Mohd. Noor Alam Ansari, Resident of Village - Hussain Chowk, Ward No. 22, P.S. + District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr. Alok Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 18-03-2020 Heard Mr. Nafisuzzoha, learned counsel for the petitioner and Mr. Alok Kumar, learned counsel appearing for the informant.

The petitioner seeks regular bail in connection with Pirbahore P.S. Case No. 391 of 2019, registered for the offence punishable under Sections 366(A) / 34 of the Indian Penal Code, 1860.

The allegation against the petitioner as per the First Information Report is that the petitioner along with the co-accused Sagar Singh Rajput abducted the daughter of the informant for the purpose of marriage.

Mr. Nafisuzzoha, learned counsel appearing for the petitioner submits that petitioner has falsely been implicated in this case merely on the basis of the fact that the mobile of the victim girl was recovered from the room of the petitioner.



Learned counsel further submits that petitioner has not committed any offence in the manner alleged and the victim girl has been recovered and her statement under Section 164 of the Cr.P.C. has been recorded by the Police, which has been annexed as Annexure – 1 to the supplementary affidavit filed by the petitioner. Learned counsel referring to the statement made under Section 164 of the Cr.P.C. of the victim girl submits that she has not stated anything against this petitioner and has stated that this petitioner is friend of the victim girl.

On the other hand, Mr. Alok Kumar, learned counsel appearing for the informant vehemently opposes the prayer for regular bail of the petitioner and submits that the victim girl is minor and the co-accused Sagar Singh Rajput as well as this petitioner had abducted her for the purpose of marriage.

Having heard learned counsel for the parties and taking into consideration the fact that the victim girl has disclosed her age in her statement under Section 164 of the Cr.P.C. as 18 years and has admitted that she has performed marriage with the co-accused Sagar Singh Rajput in a temple and has said nothing incriminating against this petitioner and the petitioner is in custody since 21.07.2019, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge cum A.C.J.M., 9, Patna in connection with Pirbahore P.S. Case No. 391 of 2019.

(Anil Kumar Sinha, J)

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