

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11877 of 2021

Arising Out of PS. Case No.-176 Year-2020 Thana- AMDABAD District- Katihar

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RINKU ALAM Son of Maquesood @ Maquesooddin Resident of Village -
Raghunathpur, P.O.- Bairiya, P.S.- Amdabad, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 03-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363, 366A, 379, 504 and 34 of the Indian Penal Code.

As per allegations in the F.I.R., it is stated by the informant that the ten named accused persons including the petitioner herein kidnapped his minor daughter for the purpose of marriage.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The allegations as levelled in the F.I.R. are false and incorrect.



Referring to the material that has transpired in course of investigation, it is submitted that in paragraph no.19 of the case diary, it has come that the petitioner and the daughter of the informant were talking by the road side when the petitioner was arrested. In paragraph no.22 of the case diary, the statement of the alleged victim under section 161 Cr.P.C. is recorded wherein she does not support the prosecution case. The independent witness in paragraph nos.62 to 66 of the case diary have stated the case to be one of love affair and on medical examination, the age of the informant's daughter has been estimated to be between 18-19 years. The petitioner is in custody since 24.8.2020, has no criminal antecedent and investigation in the case has concluded.

Heard learned A.P.P. for the State.

The daughter of the informant in her statement under section 164 Cr.P.C. which has been brought on record as Annexure-3 to the petition has categorically stated about the petitioner and other accused persons forcibly taking her away on a motorcycle after placing a handkerchief on her face as a result of which she became unconscious.

Having heard learned counsel for the parties and taking into consideration the contents of the statement under



section 164 Cr.P.C., the Court is not inclined to enlarge the
petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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