

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23958 of 2021

Arising Out of PS. Case No.-268 Year-2020 Thana- RIVILGANJ District- Saran

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TIPU SULTAN @ SADDAM HUSSAIN S/O AKBAR ALI R/O VILLAGE-
SAMSUDDINPUR, P.S.-RIVILGANJ, DISTRICT-SARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through
Video Conferencing from their residence.)

3 26-07-2021

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 341,323,363,366A,504,506
and 34 of the Indian Penal Code.

Informant, who is father of the informant, has
alleged that on 29.07.2020 mother of the petitioner has enticed
away and took his daughter with her with a view to marry her
with his son (petitioner).

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case. It
has further been submitted that actually petitioner has no role in
kidnapping or abduction of daughter of the informant rather the

family members of the victim girl assaulted her and due to this reason, the victim girl deserted her house and went to the house of the sister of her father. It is contended that the said occurrence is said to have occurred on 29.07.2020 but the FIR was lodged on 02.08.2020. It is further contended that there is contrary version of victim girl recorded under Section 161 Cr.P.C. and 164 Cr.P.C. which is not trustworthy. It is further contended that the medical board has opined the age of victim girl between 16 to 17 years. Medical report denies any recent sexual intercourse and any injury on body or private part. Petitioner is in custody since 07.12.2020.

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 Rivilganj P.S. Case No. 268 of 2020 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)

Sanjay/-

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