

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18120 of 2020

Arising Out of PS. Case No.-501 Year-2019 Thana- PHULPARAS District- Madhubani

MD. SAMSAD @ MD. SAMSAD ALAM, Male, aged about 21 years, Son of
Lukman, Resident of Village - Gunakarpur, Police Station - Lakhsaur, District
- Madhubani.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjay Kumar Jha, Advocate.

For the Opposite Party : Mr.Md. Anbzarul Haque Sahara,A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-01-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 363 and 366(A) of the
I.P.C.

The prosecution story, in brief, is that on 09.12.2019
at about 2.00 P.M. in the night, the petitioner and others taken
away the minor daughter of the informant.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioner. The petitioner has been made accused in
the present case due to mistake of fact. The victim has been



recovered. There is no allegation of sexual assault alleged by the victim. The victim is said to have accompanied with other co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. The alleged occurrence is said to have taken place due to love affairs.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Jhanjharpur, Madhubani, in connection with Phulparas P.S. Case No. 501 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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