

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31908 of 2021

Arising Out of PS. Case No.-83 Year-2018 Thana- JOKIHAT District- Araria

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HAFIZ @ KARE S/o- Hashim @ Hasim Resident of Village- Mahalgaon,
Ward No. 6, P.S.- Jokihat (Mahalgaon), District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

For the Opposite Party/s : Mr. Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-12-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks regular bail in connection with
Jokihat (Mahalgaon) P.S. Case No. 83 of 2018 (G.R. No. 980
of 2018) registered for the offence under Section 366 (A) / 34 of
the I.P.C.

The allegation as per the First Information Report is
that the petitioner has abducted the minor daughter of the
informant for the purpose of marriage

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged.
Referring to Annexure – 2 of this bail petition, which is the
statement recorded under Section 164 Cr.P.C. of the victim girl,



learned counsel submits that from perusal of the same it appears that no physical assault was made to the victim girl by the petitioner. He further submits that the victim girl has disclosed her age as 16 years before the learned Magistrate but as per the report of the medical board the age of the victim girl has been assessed between 18-20 year. He thus submits that the victim was major at the time of occurrence. He submits that FIR has been lodged after delay of about nine days. He next submits that Police after investigation has submitted charge sheet under Section 363 of the IPC but cognizance has been taken against the petitioner under Section 366(A) of the IPC. The petitioner is in custody since 20-11-2020.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is in custody since 20/11/2020, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, 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. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria in connection with



Jokihat (Mahalgaon) P.S. Case No. 83 of 2018 (G.R. No. 980 of 2018).

(Anil Kumar Sinha, J)

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