

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39013 of 2021

Arising Out of PS. Case No.-44 Year-2019 Thana- MAHILA P.S District- West Champaran

AJAD MIYAN @ AJAD MIAN Son of Mansur Miyan Resident of Mastan
Tola, Ward No.24, P.S.- Bagha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-11-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail registered for the offences punishable under sections 366A/34 of the Indian Penal Code.

As per the prosecution case, this petitioner and other accused persons abducted the daughter of the informant on the pretext of solemnizing marriage.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He submits that the FIR has been lodged after delay of ten days without giving plausible explanation of the delay. From perusal of section 164 Cr. P.C. statement of the victim it appears that the victim, out of her wishes left her house and moved with the petitioner from one place to the other using public



vehicles but she never raised alarm. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 9.10.2019.

Learned counsel for the State opposes the prayer for bail and submits that the victim in her section 164 Cr.P.C. statement has made allegation against the petitioner of committing physical assault on her. Court has also assessed her age to be 17 years.

Considering the nature of accusation against the petitioner and section 164 Cr. P. C. statement of the victim, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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