

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32530 of 2020

Arising Out of PS. Case No.-45 Year-2019 Thana- LAUKAHI District- Madhubani

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SADRE ALAM S/o Ali Hasan Resident of Village-Subba Tole, P.S-
Andhramath, District-Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Aryan Sinha, Adv.
: Mr.Ravi Kumar, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 19-02-2021 Heard Mr. Aryan Sinha, learned counsel for the

petitioner and Mr. Sanjay Kumar Sharma, learned APP for

the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Laukahi P.S. Case No. 45 of 2019

dated 09.03.2019 instituted for the offences under Sections

363 and 366A of the Indian Penal Code.

The father of the victim girl has alleged that his

daughter was made to elope with one Suraj Yadav for the

purposes of marriage. Later, it transpired that the real name

of aforesaid Suraj Yadav is Sadre Alam, who is the petitioner



here. The victim girl has made her statement under Section 164 Cr.P.C., which confirms the accusation that the victim was kidnapped at the instance of the petitioner for the purposes of marriage.

Mr. Sinha, learned counsel for the petitioner, however, has contended that for some reasons or the other the decision of the family to marry the so called victim girl with the petitioner failed and, therefore, the present case has been lodged. In fact, the victim girl was in close liaison with the petitioner. For some extraneous issues, the marriage between the petitioner and victim girl could not be performed. That was not possible also as the victim appears to be minor. Nonetheless, considering the background of the parties, the informant has chosen not prosecute the petitioner any further and has filed a compromise petition before the Court below.

However, considering the nature of accusation against the petitioner and the contents of the 164 statement of the victim girl, I am not inclined to grant anticipatory bail to the petitioner.



The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, his application shall be considered on its own merits without being prejudiced by the fact that the present petition has not been entertained.

(Ashutosh Kumar, J)

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