

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38021 of 2020

Arising Out of PS. Case No.-498 Year-2019 Thana- NARPATGANJ District- Araria

Hasamuddin @ Hesamuddin @ Md. Wasique @ Wasik S/o Md. Hussain @
Husain R/o Village- Babuan, Ward No. 1, P.S.- Ghurna (Narpatganj), District-
Araria. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-03-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in Narpatganj (Ghurna)
P.S. Case No. 498 of 2019 registered for the offences
punishable under Section 366/34 of the Indian Penal Code and
later on 376 D of the IPC was added, pending in the Court of
learned Chief Judicial Magistrate, Araria.

The petitioner in association of another co-accused
is said to have abducted the daughter of the informant to
solemnize marriage.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He has been
falsely implicated in this case due to previous grudge. There is
inordinate and abnormal delay of about six days in filing the
F.I.R. without assigning any plausible and convincing reason



for the said delay. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. As a matter of fact, the informant wanted to marry his daughter with co-accused Mahboob Alam but he was not ready and in retaliation thereto, this false and frivolous case has been lodged against the petitioner and the co-accused. The petitioners has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that the victim has supported the prosecution case in her statement given under Section 164 Cr.P.C.

Considering the facts and circumstances of case as also the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected at this stage.

(Anjani Kumar Sharan, J)

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