

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38061 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- GALGALIYA District- Kishanganj

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Salauddin @ Md. Salauddin, aged about 24 years, male, S/o Hafiz @ Gera @
Md. Hafij, R/o Village-Dangiganj Ramajot, P.S-Kohribari, District-Darjeeling
(W.B.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 16-04-2021 Heard the counsel for the parties.

The petitioner seeks bail in anticipation of his
arrest in connection with Galgalia P.S. Case No. 03 of 2020,
dated 28.01.2020, instituted for the offences under Section
366(A) and 34 of the Indian Penal Code and Section 14 of
the Protection of Children from Sexual Offences Act, 2012.

The informant has alleged that his fourteen years
old daughter was abducted/kidnapped by the petitioner and



two others on a motorcycle. When the wife of the informant tried to save his daughter, then all the accused persons threatened her of her life.

The learned counsel for the petitioner has submitted that an absolutely false case has been lodged against him. The victim, in her statement under Section 164 Cr.P.C., has said that though she was abducted by the brother of the petitioner, viz., Alauddin, but she married him. On being questioned about where would she like to go, she is said to have told that she would now go to her parents for now and after becoming a major, she would like to go with aforesaid Alauddin. In the 164 statement, referred to above, there is no reference of participation of the petitioner in the offence. Merely because the petitioner happens to be the brother of aforesaid Alauddin, he has been made accused in this case. Aforesaid Alauddin, the co-accused, is in custody.

Regard being had to the facts afore-stated, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of



eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Galgalia P.S. Case No. 03 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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