

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9849 of 2021

Arising Out of PS. Case No.-252 Year-2019 Thana- RANIGANJ District- Araria

Shamim @ Md. Shamim Aged About 28 Years S/O Alauddin @ Md. Alauddin R/O Barkauna, P.S. Mirganj, Distt- Purnea.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-08-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in Raniganj Police Station Case No. 252 of 2019 registered for the offences punishable under sections 366A/34 of the Indian Penal Code.

As per the prosecution case, petitioner and other two co-accused persons abducted minor daughter of the informant for the purpose of marriage.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. FIR has been lodged after delay of 17 days and there is no explanation of delay. As per medical report, victim has been found to be aged about 18 years and no sign of recent sexual act has been found. Petitioner has got clean antecedent and he is in custody since 26.9.2020.



Learned counsel for the State opposes the prayer for bail and submits that the victim in her section 164 Cr.P.C. statement has alleged that the petitioner forcibly took her to Delhi and on the allurement of marriage, he established physical relation and then returned to Purnea and leaving her fled away.

In view of the specific allegation against the petitioner made by the victim in her section 164 Cr.P.C. statement, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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