

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4716 of 2022**

Arising Out of PS. Case No.-175 Year-2021 Thana- SAHEBPUR KAMAL District-  
Begusarai

MD. SADDAM Son of Md. Rahman Resident of Village- Panchveer, P.S.-  
Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Md. Fahimuddin

For the Opposite Party/s : Mr.Rabindra Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      01-04-2022                      Heard learned counsel for the parties through video  
conferencing.

The petitioner seeks bail in a case registered for the  
offence under Section 366(A) of the Indian Penal Code.

As per the prosecution case, this petitioner kidnapped  
the minor daughter of the informant for the purpose of marriage.

It is submitted on behalf of petitioner that there was  
love affairs between the victim girl and the petitioner and both  
of them left their home on their own will and as such, Section  
366(A) of the Indian Penal Code is not applicable in this case. It  
is further submitted that doctor has not found any sign of recent  
sexual assault on the body of victim. Petitioner claims clean  
antecedent and he is in custody since 24.07.2021. Chargesheet  
has already been submitted.



However, learned A.P.P. for the State opposed the bail petition and submitted that as per report of the medical board, the age of the victim has been found to be 15 years and the victim girl has supported the prosecution case in her statement recorded under Section 164 Cr.P.C.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

**(Prabhat Kumar Singh, J)**

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