

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9903 of 2022

Arising Out of PS. Case No.-143 Year-2021 Thana- CHAKAI District- Jamui

Md. Jaafar S/o Md. Wahid Resident of Village - Sathnal, P.S. - Tisri, District - Giridih (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Irshad, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 23-11-2022 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Chakai P.S. Case No. 143 of 2021 registered for the offence under Sections 363, 366(A) and 120(B) of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 04.10.2021.

The allegation against the petitioner is to kidnap the minor daughter of the informant, aged about 15 years, for the purpose of illicit intercourse.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner has been falsely implicated in present case, as he was having of love affairs with daughter of the informant.



It is submitted that victim, specifically, stated in her statement as recorded under Section 164 of the Cr.P.C. that she went on her own to Kolkata, where she solemnized her marriage with petitioner out of her own sweet will. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as victim negate the allegation of kidnapping and sexual assault through her statement recorded under Section 164 of the Cr.P.C. against this petitioner coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Chakai P.S. Case No. 143 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-I, Jamui/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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