

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30630 of 2021**

Arising Out of PS. Case No.-60 Year-2020 Thana- HUSSAINGANJ District- Siwan

NOOR ALAM Son of Rojdin Mian Resident of Village - Mahuwal, P.S.-
Hussainganj, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate

For the Opposite Party/s : Dr. Mritunjay Kumar Gautam, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 11-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363, 366A and 34 of the Indian Penal Code.

As per the prosecution case, the fifteen year old daughter of the informant disappeared. On search it transpired that the accused persons including the petitioner herein had kidnapped her for the purpose of marriage.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The petitioner and the daughter of the informant were in love and had eloped. The daughter of the informant returned and her statement was recorded under section 164 Cr.P.C. wherein after narrating about the occurrence, on being asked as to with whom



she wanted to go, her reply was that she wanted to go with the petitioner. Learned counsel for the petitioner further submits that in the medical examination, the age of the daughter of the informant has been estimated to be between 18-19 years and thus she is major. The petitioner is in custody since 16.6.2020 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the material that has transpired in course of investigation including the statement of the daughter of the informant under section 164 Cr.P.C. together with the contents of the medical report and chargesheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Hussainganj P.S. Case no. 60 of 2020 giving rise to Sessions Trial no. 33 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 the learned A.D.J. IX, Siwan.

(Partha Sarthy, J)

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