

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32242 of 2021**

Arising Out of PS. Case No.-619 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

MD.FIROZ Son of Reyazul Resident of Village - Ulao, P.S.- Mufassil
(Singhaul), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Radha Mohan Singh Mr.Chandan Kumar Kashyap
For the Opposite Party/s	:	Mr.Dr. Ajeet Kumar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

6 28-04-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Mufassil (Singhaul) Police Station Case No. 619 of 2020,
registered for the offences punishable under Sections 365/366-
A/34 of the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that the petitioner, along with other co-accused
persons, abducted the minor daughter of the informant for the
purpose of marriage or to sell.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and he has not
committed any offence in the manner alleged. He further
submits that the daughter of the informant was recovered and



her statement, under Section 164 of the Code of Criminal Procedure, 1973, was recorded, in which she has stated that she had gone with the petitioner to Surat out of her own free will where the petitioner established sexual relationship with the victim girl for fifteen days. He further submits that there was consensual relationship between the petitioner and the victim girl and the victim girl has not stated, in her statement under Section 164 of the Code of Criminal Procedure, 1973, that the petitioner established sexual relationship with her forcibly. He further submits that the petitioner is in custody since 31.12.2020, having no criminal antecedent.

On the other hand, learned Additional Public Prosecutor opposes the prayer for bail and submits that from perusal of the impugned order, it appears that on the date of occurrence, the victim girl was about 13 years of age and her date of birth, as per school register is 02.03.2007.

Having heard learned Counsel for the parties and taking into consideration the statement of the victim girl, recorded under Section 164 of the Code of Criminal Procedure, 1973, and the fact that the victim girl was minor and the petitioner established sexual relationship with her, I am not inclined to grant regular bail to the petitioner.



This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after one year from today, if the trial does not show any progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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