

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35085 of 2021**

Arising Out of PS. Case No.-254 Year-2020 Thana- JALALPUR District- Saran

MD. AZHARUDDIN S/o Late Md. Murtaza Resident of Village-Bajrahiya,  
P.S.-Isuapur, District-Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

|                            |   |                                                 |
|----------------------------|---|-------------------------------------------------|
| For the Petitioner/s       | : | Mr. Y. C. Verma, Sr. Adv .<br>Ms.Priyanka Singh |
| For the Opposite Party/s : |   | Mr. Nawal Kishore Prasad                        |

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

3      21-03-2022                      Heard learned Senior Counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with  
Jalalpur Police Station Case No. 254 of 2020, registered for the  
offence punishable under Section 366-A of the Indian Penal  
Code.

The prosecution case, as per the First Information  
Report, is that the niece of the informant was abducted by some  
unknown person for the purpose of marriage.

Learned Senior Counsel for the petitioner submits  
that the petitioner has not committed any offence in the manner  
alleged and the fact of the matter is that the petitioner was  
having love affair with the victim girl, which was not to the



liking of the family members of the victim girl. He further submits that during the course of investigation, it has come to light on the basis of CDR of mobile numbers of the informant and the victim girl, recorded in paragraph 22 of the case diary, that the victim girl was having conversation with the informant between 09.12.2020 and 14.12.2020. He further submits that the victim girl had gone with the petitioner voluntarily out of her own free will but due to the pressure of the family members, she has stated that the petitioner has abducted her against her will. He further submits that there is no allegation of physical abuse by the petitioner in the statement of the victim girl, recorded under Section 164 of the Code of Criminal Procedure, 1973. He further submits that the petitioner is in custody since 28.12.2020 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that on the alleged date of occurrence, the police found that the victim girl was having conversation with the informant, the petitioner is in custody since 28.12.2020, having no criminal antecedent and



charge sheet has been submitted, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 13<sup>th</sup> Additional Chief Judicial Magistrate, Saran, at Chapra, in connection with Jalalpur Police Station Case No. 254 of 2020.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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