

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35123 of 2022

Arising Out of PS. Case No.-224 Year-2021 Thana- GAUNAHA District- West Champaran

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TABREJ ALAM @ TABREJ AAJLAM SON OF NABIJAN DEWAN @
NAVIJAN @ NAVIJAN SHAH R/O VILLAGE- AMOLWA, P.S.-
GAUNAHA, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Shankar Pandey, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in a case registered for
offence punishable u/s 366-A/34 of the IPC and u/s 8 of the
POCSO Act, 2012.

Allegedly, the petitioner along with other accused persons
entered into complainant's house and they fled away from there
by kidnapping her daughter, along with cash of Rs. 1,40,000/-
and five sets of gold ornaments. They also threatened her that if
she lodges case against them then her daughter will be killed.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in



the manner as alleged, has ever taken place. It is further stated that the victim girl with her own free will left her house and got married with the petitioner willingly without any force and pressure. The present prosecution case has been initiated because the mother of the victim girl has not accepted the marriage of her daughter with the petitioner as she wanted to marry her with another boy. He also enclosed the marriage certificate and date of birth certificate of the victim. The statement of the victim has been recorded u/s 161 and 164 Cr.P.C. and in her statement she has clearly stated that she herself left her house with her own will and voluntarily performed marriage with the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the victim girl has not supported the prosecution story, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection



with Gaunaha P.S. Case No.224 of 2021, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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