

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41873 of 2022

Arising Out of PS. Case No.-141 Year-2021 Thana- PURNEA SADAR District- Purnia

Md. Ambar Alam Son Of Md. Zamir Resident Of Village - Musapur, P.S.-
Kodha, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the

learned APP for the State.

Petitioner seeks regular bail in connection with Sadar

Muffasil P.S. Case No. 141 of 2021 registered for the offences

punishable under Sections 363, 366 A and 34 of the Indian

Penal Code.

As per the prosecution, the informant has alleged that

this petitioner with the help of other persons has kidnapped the

informant's minor daughter aged about 14 years for the purpose



of marrying her.

The main submissions advanced by the learned counsel Mr. Ram Prawesh Kumar appearing for the petitioner are that the petitioner is a young boy having clean antecedent and he has been languishing in jail since 22.06.2022 and the so-called victim has been recovered and she has recorded her statement under Section 164 Cr.P.C. before the Judicial Magistrate and while recording the statement her age was assessed as eighteen years and the said victim stated before the Magistrate that she herself fled away with the petitioner on account of love affair and performed *Nikah* with the petitioner.

Learned APP Mr. Ajay Kumar No. 2 appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR and the order impugned. The petitioner is stated to be a young person and the so-called victim has been recovered, the facts revealed by the said victim discussed in the order impugned go against the allegation made in the FIR and the petitioner has been languishing in jail since 22.06.2022. Considering these facts, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand)



with two sureties of the like amount each to the satisfaction of
the concerned Court in connection with Sadar Muffasil P.S.
Case No. 141 of 2021 .

(Shailendra Singh, J.)

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