

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55347 of 2021

Arising Out of PS. Case No.-211 Year-2021 Thana- JOKIHAT District- Araria

MD INTAKHAB ALAM @ INTKHF Son of - Jamruddin @ Md Zamruddin
Resident of Village- Masuriya, Chainpur, Ward No. 13, P.S.- Mahalgaon,
District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Ziaul Quamar

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-01-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Jokihat
(Mahalgaon) P.S. Case No. 211 of 2021 registered for the
offences punishable under Sections 366(A), 120(B)/34 of the
IPC.

According to prosecution case, the informant alleges
that on 06.05.2021 her daughter, who was living with her
maternal uncle, went outside the house for natural call but could



not return. The informant received information that petitioner along with other accused took away his daughter on motorcycle for purpose of marriage. The informant further alleges that petitioner's family was also involved in kidnapping of his daughter.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. It is further submitted that petitioner as well as victim girl are co-villager and there was love affair between them. He further submits that victim on her choice went to Pune along with the petitioner where they married on 17.05.2021 (Annexure-2 Marriage Certificate). Thereafter, she also married through affidavit in Araria on 21.06.2021 (Annexure-2/A). He further submits that it appears from Annexure-3 to this petition issued by the B.S.E.B., Patna in which date of birth of victim is mentioned as 01.01.2002 which shows that victim girl was major at the time of alleged occurrence. Petitioner is in custody since 23.06.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as



well as period of custody, let the petitioner, above named, 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 learned Chief Judicial Magistrate, Araria in connection with Jokihat (Mahalgaon) P.S. Case No. 211 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of



bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

shahzad/-

U		T	
---	--	---	--

