

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45806 of 2022

Arising Out of PS. Case No.-118 Year-2020 Thana- BALIGAON District- Vaishali

Md. Tamanne @ Tamanne Sekh Son of Md. Halim Resident of Village -
Akhitiyarpur, Doghara, P.S.- Baligaon, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Soban Asghar, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 06-12-2022 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
Baligaon P.S. Case No. 118 of 2020 registered for the offences
punishable under Sections 363, 366(A) and 34 of the Indian
Penal Code.

As per the prosecution, the informant's minor
daughter aged about 12 years and her niece aged about 15 years
went missing from their house on the alleged date. This
petitioner along with other co-accused persons are alleged to
have kidnapped the victims.



The main submissions advanced by the learned counsel Md. Soban Asghar appearing for the petitioner are that one of the victims has been recovered and she has recorded her statement before the Judicial Magistrate under Section 164 Cr.P.C. in which she has accepted her matrimonial relationship with this petitioner and according to her the other victim who also left the house of her parent along with the said victim, had returned to her home after spent of some period with the petitioner and other victim in Delhi. Further submission is that in the present time the informant's daughter who is stated to be one of the victims has been residing in the house of this petitioner as his wife and one child has born out of their matrimonial relationship.

Learned APP Mr. Akhileshwar Dayal appearing for the State has opposed the bail prayer.

Having regard to the facts and circumstances of this case, considering the above submissions and petitioner's young age and mainly the statement of one of the victims which goes against the allegation made in the FIR, 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 Baligaon P.S. Case No. 118
of 2020.

(Shailendra Singh, J.)

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