

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2151 of 2021**

Arising Out of PS. Case No.-131 Year-2018 Thana- KORHA District- Katihar

NOOR HUSSAIN SON OF PAIGAMBER ALI @ IBRAN ALI RESIDENT
OF VILLAGE - SIMARIYA MEHRULLA TOLA, P.S. - KORHA,
DISTRICT - KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Dr. Mirtunjay Kumar Gautam, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 03-01-2022 Heard learned counsel for the petitioner, Informant
and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects, as pointed out by
the office, when called upon to do so by the office.

The petitioner is/are apprehending his/their arrest in
connection with Korha P.S. Case No. 131 of 2018 for the
offence registered under Sections 366(A)/34 of the Indian Penal
Code.

It is a case of abduction of minor girl aged about 20
years.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in connection with the
present case. It is further submitted that the statement recorded



under Section 164 of the Cr.P.C. she has not made allegation of kidnapping against the petitioner rather she has clearly stated that she herself left her house and solemnized marriage with this petitioner with her own sweet will.

Learned counsel for the informant submits that at the time of occurrence victim girl was aged about 16 years.

Learned counsel for the petitioner on the other hand submits that in the Muslim community, marriage may be solemnized after 15 years. There is no compulsion of marriage of a Muslim girl above 16 years of age.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his/their arrest/surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Korha P.S. Case No. 131 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Sunil Kumar Panwar, J)

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