

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59638 of 2021

Arising Out of PS. Case No.-175 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

SHAMSHER ALAM S/o MOHAMMAD AJIMULLAH R/o VILLAGE-
PURAN CHAPRA, P.S-CHAKIYA, DISTRICT-EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 31-03-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Section 365, 366 of the Indian Penal Code.

The prosecution case, in brief, is that on 01.04.2021, the in-laws members of daughter of informant came at the house of informant and took away her daughter and her daughter's three children. Later on, when informant did not find any where-about of her daughter and tried to contact her, the in-laws of her daughter did not give any reply and abused her. The informant suspects that her daughter might have been killed by in-laws of her daughter. During course of investigation, the victim lady was recovered and her statement under Section 164 Cr.P.C. was recorded wherein she alleged that this petitioner committed sexual assault with her, made videography and also blackmailed her.



It is submitted that petitioner is not named in the F.I.R. and F.I.R. is against in-laws of daughter of the informant for abduction of daughter and her children. The victim lady is 33 years old and mother of three children. The relationship was consensual, as the victim is major. Investigation is complete and petitioner is in custody since 21.07.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of accusation, period of custody and the fact that investigation in the case has already been completed, the bail petition of petitioner is allowed. Let the above named 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 learned A.C.J.M. - 1st (West) Muzaffarpur in connection with Sahebganj P.S. Case No. 175 of 2021.

(Prabhat Kumar Singh, J)

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