

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50774 of 2022

Arising Out of PS. Case No.-374 Year-2022 Thana- SIWAN MUFFASIL District- Siwan

SAIF ALI KHAN @ SAIF ALI Son of Samim Khan R/V- Chanaur, P.s-
Siwan Muffasil (Dhanauti OP) Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 13-12-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under section 366A of the Indian Penal Code.

As per the prosecution case, the informant's daughter was kidnapped by the petitioner after enticing her for the purpose of marriage.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. Learned counsel for the petitioner further submitted that the present case has been filed after five months delay. In the statement of the victim recorded u/s 164 Cr. P.C., the victim has stated that there was a love affair between the victim and the petitioner and she left her home on her own will and no one kidnapped her forcibly. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.07.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that in the statement of the victim recorded u/s 164 Cr. P.C., the court has assessed her age as 15 years.

Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Siwan in connection with Siwan Muffasil P.S. Case No. 374 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

Ayush/niku/-

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