

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.68180 of 2021**

Arising Out of PS. Case No.-38 Year-2021 Thana- SANHAULA District- Bhagalpur

Md. Gulfranj S/o Md. Fajir Resident of Village- Bhagwanpur, Police Station-  
Sanhoula, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dr. Manoj Kumar

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

5      12-05-2022                      Heard learned counsel for the petitioner and learned  
A.P.P for the State.

The petitioner seeks bail in Sanhulla P.S. Case No. 38 of 2021 corresponding to Sessions Trial No. 411 of 2021, registered for the offence punishable under Sections 366, 366(A) of the Indian Penal Code.

As per the prosecution case, this petitioner kidnapped the daughter of informant for the purpose of marriage.

It is submitted on behalf of the petitioner that though the alleged occurrence took place on 02.04.2021, but the FIR was lodged 08.04.2021 after lapse of six days of the occurrence without any plausible explanation. The victim is major and she is aged about 18 years. It is next submitted that the victim girl and the petitioner have solemnized marriage on 04.04.2021 in



presence of Maulvi according to Muslim rites and Nikahnama was also prepared. Both parties are Gotia and the instant case has been lodged only to harass the petitioner. Petitioner is in custody since 09.04.2021 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and submitted that the victim girl in her statement under Section 164 Cr.P.C has clearly stated that petitioner has forcibly kidnapped her and thereafter solemnized marriage against her will.

Considering the statement of victim girl under Section 164 Cr.P.C, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

**(Prabhat Kumar Singh, J)**

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