

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69618 of 2021**

Arising Out of PS. Case No.-224 Year-2021 Thana- DEHRI TOWN District- Rohtas

AFJAL RINE, Son of Taj Raein Resident of Mohalla- Bastipur, P.S.-
Indrapuri, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwari

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 26-04-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in a case registered for the
offences under Section 366A of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 23.04.2021, charge-sheet has been
submitted and has antecedent of one case.

The learned counsel for the petitioner submits that
informant alleges that his daughter aged about 13 years left the
house on 17.04.2021 on pretext of getting some goods from the
market but didn't return, thus alleges that the petitioner enticed
her daughter and took her away for the purpose of marriage or
for some ulterior reason as the petitioner is also missing since
17.04.2021, further the informant provided the mobile number



of the victim. The learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence, the informant is not an eye witness to the occurrence to the effect that the petitioner after enticing the victim had taken her away rather the victim had returned and in her statement under Section 164 Cr.P.C., she had not supported the prosecution case, as would be evident from Annexure-2 as the informant has stated that she on her own volition had gone with the petitioner and was not kidnapped.

Learned A.P.P. vehemently opposes the bail application and submits that victim is a minor aged about 13 years.

Learned counsel for the petitioner rebuts the allegations of the learned APP and submits that even a minor is entitled to a company of a person on her own volition since the minor has not alleged anything against the petitioner, as such, the petitioner deserves to be enlarged on bail.

Considering the fact the petitioner is in custody since 23.04.2021, charge-sheet has been submitted and the victim has not supported the prosecution case, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned
Court below where the case is pending in connection with Dehri
(Town) P.S. Case No. 224 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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