

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7850 of 2023

Arising Out of PS. Case No.-1 Year-2022 Thana- ALINAGAR District- Darbhanga

Md. Khurshid Alam @ Md. Khurshid @ Khurshid Alam S/O Late Md. Abdul
@ Md. Abul R/V- Pakri, P.S.- Alinagar, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary

For the Opposite Party/s : Mr. Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 363, 366(A)/34 of the Indian Penal Code.

The prosecution case, in brief, is that the informant alleged that his daughter, aged about 16 years, went to bring her admit card but she did not return. Thereafter, the informant came to know that his daughter has been kidnapped by the accused persons including the petitioner on the pretext of solemnization of marriage.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of Case diary, victim girl was recovered and her statement has been recorded



under section 164 of Cr.P.C., wherein, she did not whisper any complicity of the petitioner in respect of misbehaving or physically assaulting. As per medical report of the victim which is at page 12 of the case diary, doctor assessed her age about 17 years and found no external injury. The victim girl refused further for medical test. It is further submitted that the petitioner has got no criminal antecedents and languishing in judicial custody since 12.5.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Alinagar P.S. Case No. 01 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Special Judge (POCSO) Act, Darbhanga.

(Sunil Kumar Panwar, J)

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