

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7254 of 2023

Arising Out of PS. Case No.-221 Year-2021 Thana- TURKAULIYA District- East
Champaran

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Faiyaz Mian @ Shekh Faiyaj Son Of Muslim Mian R/O Village- Sapahi, P.S.-
Turkaulia, District- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/S

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kumar, Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for
the offence punishable under sections 341, 363, 366A, 376, 34
of the Indian Penal Code and Section 4 of the POSCO Act.

It is alleged that on 14.03.2021 in the night when the
informant along with her daughter was going to attend nature's
call, all the accused persons named in the FIR including this
petitioner came and kidnapped her daughter on point of pistol
with an intention to marry after changing her religion.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. It is submitted that FIR has been lodged after 3 days of
occurrence and there is no explanation about it. Victim has been
assessed between 17.5 to 18.5 by Doctor. The victim was in love



with this petitioner. Both of them wanted to marry but due to family unwillingness they could not marry. Taking advantage of the situation the informant has lodged this false and concocted case.

Learned counsel for the State opposes the prayer for bail petition and he submits that the victim in 164 Cr.P.C statement has categorically made allegation against the petitioner that he forcibly kidnapped her.

Considering the 164 Cr.P.C statement of the victim, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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