

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25608 of 2023

Arising Out of PS. Case No.-48 Year-2022 Thana- BAUNSI District- Araria

Md Jawed @ Javed @ Jawed Alam, S/o Md. Ayub Alam @ Auv, R/o Village-
Pokhariya Tola, Bounsi, Ward No. 13, P.S.- Bounsi, Distt.- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Kanchan Jha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 27-07-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Bounsi P.S. Case No.48 of 2022 registered for the offences
punishable under Sections 363 and 366 read with 34 of the
Indian Penal Code.

3. The accused/petitioner is named in the FIR and is
in custody since 09.01.2023.

4. Allegation against the petitioner is to kidnap the
daughter of informant aged about 21 years for the purpose of
marriage.

5. It is submitted by learned counsel that petitioner
has been falsely implicated with present case for the reason that
his love affairs with this petitioner was not accepted by her



parents including informant. It is submitted that victim is a major girl aged about 21 years accompanied this petitioner upto Mumbai via Patna and it is not convincing on its face that a person can kidnap a major girl aged about 21 years upto such long distance. It is submitted that the daughter of informant solemnized her marriage with petitioner out of her own sweet will at Mumbai and for said effect, a *nikahnama* was also drawn though, which later on, stated to obtained under force as apparent from the statement of victim recorded under Section 164 of the Cr.PC. While concluding argument, it is submitted that the petitioner is a man of clean antecedent and moreover investigation of this case has been completed for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of above-mentioned facts and circumstances, as victim is a major girl aged about 21 years who appears to solemnize her marriage, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 09.01.2023, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Bounsi P.S. Case No.48 of 2022, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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