

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31850 of 2023

Arising Out of PS. Case No.-133 Year-2022 Thana- KHARIK District- Bhagalpur

Md. Azaz Alam @ Md. Ajaj S/O Md Ijhar @ Ijhar R/O Village- Purvi Ghari,
P.S- Kharik, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 366(A), 34 of the Indian Penal Code.

3. Petitioner is said to have kidnapped the minor daughter of the informant with intention to marry with Md. Ajaj.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner has love affairs with the daughter of the informant and she had gone with her own will. He submits that the victim, in her statement recorded under Section 164 Cr.P.C., has not supported the prosecution case. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.



5. However, learned APP for the State opposes the prayer for bail and submits that the victim is minor.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Kharik P.S. Case No. 133 of 2022.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order considering the fact that the petitioner and victim have solemnized their marriage.

(Anjani Kumar Sharan, J)

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