

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33750 of 2023

Arising Out of PS. Case No.-192 Year-2022 Thana- AMAS District- Gaya

Md. Monazir Alam @ Md. Monajir Khan Son of Md. Jamaludin Khan @
Jamalu Khan Resident of Village - Sawkhurd, Bankat, Post - Saonkala, P.S.-
Amas, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tabish Sharfuddin

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-07-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 366A of the Indian Penal Code.

3. As per the prosecution case, this petitioner with the help of his family members kidnapped the minor daughter of informant for the purpose of marriage.

4. It is submitted that petitioner has been falsely implicated in this case. In fact, there is love affairs between the petitioner and the victim girl. The victim girl in her statement under Section 164 Cr.P.C has denied the *factum* of her kidnapping and she has clearly stated that she voluntarily left



her house and went along with this petitioner and also solemnized marriage with the petitioner. The medical board has assessed the age of victim girl to be 19 years. Petitioner claims clean antecedent.

5. In view of the statement of victim girl under Section 164 Cr.P.C, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Sherghati, Gaya in connection with Amas P.S. Case No. 192 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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