

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50776 of 2023

Arising Out of PS. Case No.-1368 Year-2022 Thana- KHAJANCHI HAT District- Purnia

Md. Tajamul @ Md. Tajmul @ Tajmul Son Of Md. Sultan Ali @ Md. Sultan
R/O-Sher Shahbadi Tola, Milki, P.S.-K. Hat, Distt.-PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Md Fazle Karim, Advocate
For the Opposite Party/s :	Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 17-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Special Case No. 40 of 2023 arising out of K. Hat (Maranga) P.S. Case No. 1368 of 2022 dated 19.12.2022 registered for the offence punishable u/s 363 and 366A read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant for the purpose of marriage.

5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The victim in her statement recorded u/s 164 of the Cr.P.C has stated that she went to Gaziabad, Delhi by train of her own will. It is further submitted that she was not forced to have illicit intercourse with another person. There is love affair between the petitioner and the victim. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 30.01.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Purnea in connection with Special Case No. 40 of 2023 arising out of K. Hat (Maranga) P.S. Case No. 1368 of 2022.

8. The application stands allowed.

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(Chandra Prakash Singh, J)

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