

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58180 of 2023

Arising Out of PS. Case No.-125 Year-2023 Thana- BAHADURPUR District- Darbhanga

MD. ASARFUL@ MD. RIZWAN @RIZWAN SON OF MD. LADDU RESI-
DENT OF VILLAGE -LOAM, PS- SADAR, DISTT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s: Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 10-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Bahadurpur P.S. Case No. 125 of 2023 dated 20.3.2023 registered for the offence punishable under Sections 363 and 366-A of the Indian Penal Code.

3. As per prosecution case, the minor daughter of the informant was kidnapped by the petitioner with the help of his associates. The victim girl was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No occurrence as alleged has ever taken place. Learned counsel further submits that in the statement of victim girl



recorded before the police she has stated that she knew the petitioner for two years and on 20th of March, 2023 both of them solemnized marriage. However, the victim girl stated a different story in her statement recorded under Section 164 Cr. P.C. before the learned Judicial Magistrate that she was kidnapped by the petitioner on 17th of March, 2023. The victim girl also stated in her statement recorded under Section 164 Cr. P.C. that the petitioner lives in the locality of her maternal grand-mother and he has been pressurizing her for solemnizing the marriage and she stated this fact to her mother and for this reason, when she went missing, her mother lodged the case against the petitioner for kidnapping. The petitioner is in custody since 15th of April, 2023 and charge sheet has been submitted. Petitioner has got no criminal antecedent.

5. Learned APP opposes the prayer for bail of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of



learned Sub Divisional Judicial Magistrate, Darbhanga, in connection with Bahadurpur P.S. Case No. 125 of 2023, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

S.Ali/-

U		T	
---	--	---	--

