

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53112 of 2022

Arising Out of PS. Case No.-339 Year-2020 Thana- SITAMARHI District- Sitamarhi

MD. SALAUDDIN SON OF MD. SHAFIQUE R/O VILLAGE- MEHSAUL,
WARD NO.-6, P.S.- SITAMARHI, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

8 01-11-2023 In compliance of the order dated 09.10.2023, the Superintendent of Police, Sitamarhi, along with previous and present Investigating Officer of this case are present before the Court.

2. The Superintendent of Police, Sitamarhi informed this Court that the girl in question has been recovered and her statement under Section 164 Cr.P.C. has also been recorded.

3. In such view of the matter, the personal appearance of the Superintendent of Police, Sitamarhi and both the Investigating Officers is dispensed with.

4. In this connection, I cannot restrain myself to pen down that police has come into action when the personal appearance of the Superintendent of Police was ordered.

5. Heard learned counsel for the petitioner and learned A.P.P.



for the State.

6. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 364A, 304B, 323, 498A, 504, 506, 120B & 341 of the Indian Penal Code.

7. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that the victim has been recovered by the police and in her statement recorded under Section 164 Cr.P.C. she has not stated anything about this petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

8. Having regard to the facts and circumstances of the case as also the fact that the victim in her statement recorded under Section 164 Cr.P.C. has not averred anything about this petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor



Court in connection with Sitamarhi P.S. Case No. 339 of 2020,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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