

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57255 of 2023

Arising Out of PS. Case No.-404 Year-2010 Thana- SAKRA District- Muzaffarpur

MD. ZAWED @ ZAWED ALAM S/O MD. FIROZ MISTRY RESIDENT
OF- SIKTA, BLOCK COLONY, P.S- SIKTA, DISTT.- WEST
CHAMPARAN (BETIYA).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Masoom Alam, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

3 27-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
22.05.2023 in connection with Sakra P.S. Case No. 404 of
2010 , F.I.R. dated 20.08.2010 for the offences punishable under
Sections 366(A)/34 of the I.P.C.

3. According to prosecution case, informant's minor
daughter was kidnapped on 15.08.2020 by accused persons
including the petitioner for the purpose of marriage.
Accordingly, the FIR.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that as per FIR the date of occurrence is 16.08.2010, but the FIR has been lodged on 20.08.2010 after delay of five days with giving any explanation of delay in loding of the FIR. He further submits that petitioner has not committed any offence as alleged in the FIR and the medical report of the victim suggests that the victim was aged about 18-20 years.

5. The learned Additional Public Prosecutor for the State on the other hand on the basis of material available in the case diary has vehemently opposed the prayer for bail of the petitioner. Further submits that the victim girl in his 164 Cr.P.C. statement categorically stated that the petitioner has taken her away and kept in a house for fourteen months and also submits that the FIR is of the year 2010 and the petitioner has absconded since 2010 and he has arrested in 2023.

6. Considering the aforesaid facts that there is direct allegation against the petitioner, supported by 164 Cr.P.C. statement of the victim girl, I am not inclined to enlarge the petitioner on bail in connection with Sakra P.S. Case No. 404 of 2010 pending in the court of learned A.C.J.M., XIIth, Muzaffarpur.



7. Prayer is refused.

(Rajesh Kumar Verma, J)

Prakash Narayan

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