

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56283 of 2022

Arising Out of PS. Case No.-261 Year-2017 Thana- BETTIAH CITY District- West
Champaran

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Adil Alam @ Adil Son of Aftab Alam, Resident of Village - Dargah Mohallah
Ward No. -22, P.S.- Bettiah, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijendra Kumar, Advocate
For the Opposite Party/s : Mr.Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 16-05-2023 Heard Mr. Bijendra Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Uday Pratap

Singh, learned APP for the State.

The petitioner seeks pre-arrest bail in connection with
Bettiah Town Kalibagh O.P. P.S.Case No.261 of 2017,
registered for the offences punishable under Sections 363,
366A/34 of the Indian Penal Code and Section 4 of Protection
of Children from Sexual Offences (POCSO) Act.

Prosecution story, in brief, is that on 11.04.2017 at
about 10:00 A.M. the daughter of the informant aged about 16
years went for College but did not return till date. The informant
searched her daughter a lot but all in vain. The informant has
full confidence that all the FIR named accused persons



including the petitioner had abducted her daughter. Earlier also accused persons used to tease her daughter and had threatened to kidnap her. The informant has apprehension that the accused persons may sell her daughter for immoral act.

The learned counsel appearing on behalf of the petitioner submits that the main accused (Md.Kaish), who had kidnapped the daughter of the informant has already been released on bail considering the fact that the the daughter of the informant and the co-accused Md.Kaish have already performed marriage willingly and they are leading happy matrimonial life together. Petitioner is the friend of said co-accused Md. Kaish.

Learned APP appearing on behalf of the State submits that the victim girl (daughter of the informant) in her statement recorded under Section 164 Cr.P.C. has admitted that she has performed marriage with co-accused Md. Kaish and she is living with him.

Considering the rival submissions made by the parties, nature of allegation made against the petitioner, who is friend of the main accused and the daughter of the informant and the main accused (Md. Kaish) are now married, the petitioner is directed to be released on pre-arrest bail, in the



event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO cum ADJ -VI, West Champaran, Bettiah in connection with Bettiah Town Kalibagh O.P. P.S.Case No.261 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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