

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68464 of 2022

Arising Out of PS. Case No.-264 Year-2022 Thana- KOTWALI District- Munger

Mohammad Irfan @ Md. Irfan S/O Mohammad Shahid R/O Mohalla- Guljar
Pokhar Near Neelam Cinema Hall, Ps.- Kotwali, Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Kotwali P.S. Case No. 264 of 2022 registered under section 366(A) of the Indian Penal Code.

Allegation against the petitioner is that he abducted the daughter of the informant for the purpose of marriage when she went out from her house for eating something.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The statement of the victim was recorded under Section 164 of the Cr.P.C. in which she has



not stated any commission of physical wrong with her by the petitioner. As per medical board, the age of the victim was assessed as more than 18 years, it means the victim girl is major and matured lady and the doctor opined that there is no sign of sexual assault with her. It is further submitted that this case is not of kidnapping rather the case is of love affairs with the petitioner and she left her house with the petitioner out of her own sweet will because she had conversation with this petitioner in coaching where both of them were studying and earlier the petitioner proposed her. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 10.06.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Kotwali P.S. Case No. 264 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each



to the satisfaction of the learned Chief Judicial Magistrate,
Munger.

(Sunil Kumar Panwar, J)

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