

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68557 of 2022

Arising Out of PS. Case No.-171 Year-2022 Thana- BAHERI District- Darbhanga

MD MUSARRAF MIAN@MUSARRAF MIAN S/o Kismat Mian @ Kismat
R/v- Paghari, P.S.- Baheri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha
For the Opposite Party/s : Mr.J.N.Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 13-04-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

This is an application for regular bail on behalf of
the petitioner for the offences alleged under Sections 363 and
366A of the Indian Penal Code, registered in connection with
Baheri P.S.Case No.171 of 2022.

As per allegation, the petitioner, his father and
mother took away the minor daughter of the informant from her
house. When her daughter did not return till late night, the
informant went to the house of the petitioner. The mother and
father of the petitioner apprised the informant that her daughter
returned to her house, but she remained traceless.

The learned counsel for the petitioner has submitted
that he is innocent and has falsely been implicated in this case.
He is in custody since 07.06.2022. As a matter of fact, the
daughter of the informant was under the training of the
petitioner for tailoring and to participate in a training



programme, she took a rented accommodation, from where she was recovered by the police. He has submitted further that in radiological finding, the age of the victim girl has been assessed as 19-20 years.

On the other hand, the learned APP has submitted that the victim was recovered and her statement under Section 164 of the Cr.P.C. was recorded, in which she has stated that the petitioner brought her in a rented accommodation and he made her captive for three days, wherefrom she was rescued by the police.

Though the petitioner claims himself to be the trainer of the victim girl, but during the course of investigation, there is no evidence that he was a trainer. The victim in her statement under Section 164 of the Cr.P.C. has stated that the petitioner forcibly brought her and closed her in a room for three days, wherefrom the police rescued her.

In my view, the petitioner does not deserve the privilege of bail, which is hereby rejected.

(Nawneet Kumar Pandey, J)

HR/-

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

