

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72736 of 2022**

Arising Out of PS. Case No.-241 Year-2022 Thana- KUSHESHWARASTHAN District-
Darbhanga

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NAVI HUSSAIN @ LALA @ NAVI HASAN S/o Md. Waseer @ Md. Basir
R/o Village- Bishnupur, P.S.- Kusheshwar Asthan, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mohammad Sufyan, Adv.
For the Opposite Party/s : Mr.Amitesh Kumar, APP.

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 21-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 363, 365, 323,
504/34 of the Indian Penal Code.

Allegedly, petitioner, along with other accused persons,
kidnapped the informant's daughter.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. 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.
Both the parties are the next door neighbours. There is admitted



land dispute between the parties. It is further submitted that as per the medical report, the age of the victim lies between 20-22 years. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail and submitted that there is direct allegation of kidnapping of minor daughter of the informant against the petitioner. The statement of the victim girl under Section 164 Cr.P.C. has been recorded in which she has stated that petitioner took her away. He further submitted that as per the school leaving certificate, the date of birth of the victim girl is 05.02.2006 which is mentioned in para-91 of the case diary. The victim girl appears to be minor.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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