

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4217 of 2024

Arising Out of PS. Case No.-154 Year-2023 Thana- FALKA District- Katihar

Md. Altaf S/O MD. SATTAR R/O- POTHIA, PS. FALKA (POTHIA), DISTT. KATIHAR.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh,Adv.

For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Falka (Pothia) P.S. Case No. 154 of 2023 dated 15.05.2023 registered for the offence/s punishable u/ss 363, 366A, 341, 323, 504, 506 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant. When the informant went to the petitioner's house for inquiry, all the accused persons abused and assaulted the informant and his family members.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. As per the medical report, the victim is aged about 17-18 years. The



victim in her statement recorded under section 161 of the Cr. P.C. has stated that she went to the market with the petitioner and no one had kidnapped her. There is nothing on the record showing that the victim was forced to have illicit relationship with another person. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner and submitted that she is a minor girl.

6. Considering the aforesaid facts and circumstances of the case as well as the materials available on the record, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Katihar in connection with Falka (Pothia) P.S. Case No. 154 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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