

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35372 of 2024

Arising Out of PS. Case No.-357 Year-2023 Thana- MADHUBAN District- East Champaran

Abdul Kadir Son of Samfullah Mansuri Resident of Village - Jogauliya (Tola Palat), P.S. - Madhuban, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Moharam Mansuri Son of Late Rasid Mian Resident of Village - Jogauliya (Tola Palat), P.S. - Madhuban, District - East Champaran.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 43322 of 2024

Arising Out of PS. Case No.-357 Year-2023 Thana- MADHUBAN District- East Champaran

SULTAN @ MD. SULTAN S/O ALIM MANSURI @ ALAM MANSURI
R/O VILLAGE- JAGAULIYA (TOLA PALAT), P.S- MADHUBAN, DISTT.-
EAST CHAMPARAN.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. MOHARMAR MASURI S/O RASID MIYAN R/O VILLAGE-
JAGAULIYA (TOLA PALAT), P.S- MADHUBAN, DISTT.- EAST
CHAMPARAN.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 35372 of 2024)

For the Petitioner/s : Mr. Alka Singh, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 43322 of 2024)

For the Petitioner/s : Mr. Abhishek Kumar , Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 28-08-2024

Re : Cr. Misc. No. 35372 of 2024

Heard learned counsel for the petitioner and the

State .



2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 363 , 366 (A) , 379 and 34 of the Indian Penal Code and Section 4/ 8 of POCSO Act.

3. As per the prosecution case , allegation against this petitioner is of kidnapping the victim and having solemnized her marriage with co-accused Sultan which finds corroboration from the statement of the victim recorded under Section 164 Cr. P C and as per educational certificate of the victim her age was about 16 to 17 years at the date of occurrence and medical board has also assessed the age of the victim between 16 to 17 years.

4. Considering the nature of accusation , 164 Cr. P C statement of the victim and gravity of offence , prayer for pre-arrest bail of the petitioner is rejected.

Re : Cr. Misc. No. 43322 of 2024

Heard learned counsel for the petitioner and the State .

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 363 , 366 (A) , 379 and 34 of the Indian Penal Code and Section 4/ 8 of POCSO Act.

3. As per the prosecution case , allegation against this petitioner is that he along with other co-accused persons kidnapped the victim and this petitioner (Md. Sultan) forcibly



solemnized marriage of the victim, which finds corroboration from the statement of the victim recorded under Section 164 Cr. P C and as per educational certificate of the victim her age was about 16 to 17 years at the time of occurrence and medical board has also assessed the age of the victim between 16 to 17 years.

4. Considering the nature of accusation , 164 Cr. P C statement of the victim and gravity of offence , prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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