

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75933 of 2023

Arising Out of PS. Case No.-309 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

Md Jamir, S/o Md. Muslim, R/o Village- Khaura Pramaul (Gangwara), PS.
Katra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 29-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Runnisaidpur P.S. Case no.309 of 2023, registered under sections 366A and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the accused persons kidnapped his 14 year old minor daughter.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The daughter of the informant returned and her statement was recorded under section 164 of the Cr.P.C., wherein she has categorically stated that she went with the petitioner out of her own free will. The petitioner is not to be blamed. Further, from perusal of the



statement under section 164 of the Cr.P.C it would transpire that there is no allegation of use of any force etc. The petitioner is in custody since 21.7.2023 and has no criminal antecedent. Charge-sheet has been submitted in the case.

5. The prayer for bail is opposed by learned A.P.P for the State who submits that the daughter of the informant is a minor, her date of birth being 3.10.2006.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the daughter of the informant being a minor and having gone with the petitioner which is evident from her statement recorded under section 164 of the Cr.P.C., the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Taking into consideration the facts and circumstances of the case, liberty is granted to the petitioner to renew his prayer for bail on completing one year in custody or after framing of charge, whichever is later.

(Partha Sarthy, J)

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