

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.414 of 2024**

Arising Out of PS. Case No.-161 Year-2022 Thana- BHANGWANPUR HAT District- Siwan

Aftab Alam SON OF BAHARAN MIYAN RESIDENT OF VILLAGE-  
KAUDIYA NAAL BANDI TOLA, PS- BHAGWANPUR HAT, DISTT-  
SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      24-01-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhagwanpur Hat P.S Case no.161 of 2022 registered under sections 366A and 34 of the Indian Penal Code.

3. As per the prosecution case, the minor daughter of the informant who had gone to ease herself was kidnapped and was not to be found inspite of search. The informant further states that the petitioner and one another are involved in her kidnapping.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. It is a case of love affair between the daughter of the informant and the petitioner herein and the daughter of the informant voluntarily



left her home and solemnized marriage with the petitioner. Her age has been assessed to be between 18-20 years. The petitioner is in custody since 29.9.2023 and has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P for the State who referring to the order of the learned trial Court submits that the victim girl was recovered and her statement was recorded under section 164 Cr.P.C wherein she has categorically stated that the petitioner forcibly established illicit relations with her and along with other accused tortured her.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R and specially the contents of the statement of the victim girl recorded under section 164 Cr.P.C which finds mention in the order of the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

**(Partha Sarthy, J)**

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