

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31744 of 2025

Arising Out of PS. Case No.-129 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Md Ejaz @ Md Azaz Reza S/O Md Shoaib Alam @ Md Shoaib R/O Vill.-
Bajaddi Ward no. 3, P.s.- Amour, Dist.- Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md Wakas Alam S/O Late Kalimuddin R/O Vill.- Kolasi, Madhura Ward no. 4, P.s.- Korha, Dist.- Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md Ziaul Quamar, Advocate
For the State	:	Mr. Jagdhar Prasad, A.P.P
For the Informant	:	Mr. Nafisuzzoha, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 23-07-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner is apprehending arrest in connection with K. Hat Sahayak P.S. Case No. 129 of 2023 lodged on 29.01.2023, for the offence punishable under Sections 363 & 366(A) of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against the sole petitioner. It has been alleged in the FIR that the petitioner has kidnapped the informant's daughter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the alleged victim girl has been recovered and in her statement under Sections 161 and 164 of the Cr.P.C, she has not made any adverse allegation against the petitioner. It has



been accepted by the victim girl that she went with the petitioner by her own choice, solemnized marriage with him and also living with the petitioner. Counsel further submits that the petitioner has no criminal antecedent.

5. Learned counsel for the informant who appeared *suo-moto* submits that as per the instruction from his client, the marriage has been solemnized and both the petitioner and the victim girl are living together and victim is also major now.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Chief Judicial Magistrate, Purnia, in connection with K. Hat Sahayak P.S. Case No. 129 of 2023, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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