

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17622 of 2016

Arising Out of PS.Case No. -310 Year- 2014 Thana -BAKHRI District- BEGUSARAI

1. Md. Shakil Alam @ Md. Shakil S/o Md. Jubair Khalipha Resident of
village- Bakhari, P.S.- Bakhri, District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Upendra Kumar(App)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 29-04-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with
Sessions Trial No. 60 of 2016 arising out of Bakhri P.S. Case No.
310/2014 corresponding to G.R. No. 4485 of 2014 registered
under Sections 341, 323, 363, 364, 366(A), 372, 504 and 506/34
of the Indian Penal Code.

The prosecution case is that the minor daughter of
the informant had gone to school on 10.10.2014 along with her
friends but she did not return. In course of search, the informant
came to know to Nayala Khatoon, the friend of his daughter that
his daughter has been enticed away by the petitioner.

Learned counsel for the petitioner submits that in fact there was love affair in between the petitioner and the victim and both left the house according to their free will. It is further submitted that the doctor has assessed the age of the victim between 15 to 17 years.

Learned Additional Public Prosecutor opposed the prayer for bail and submitted that the victim has clearly stated about her kidnapping by this petitioner.

Taking into consideration the facts and circumstances of the case and the nature of allegation, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner stands rejected.

(Rajendra Kumar Mishra, J.)

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