

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33535 of 2015

Arising Out of PS.Case No. -153 Year- 2015 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

1. Samser Alam
2. Naseem Ansari, Both son of Kamruddin Ansari
3. Nasrin Khatoon, W/o Samser Alam

All R/o Mohalla- Chhipi Tola, P.S.- Hajipur Town, District- Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Rakesh

For the Opposite Party/s : Mr. Bharat Lal (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 28-08-2015 Heard learned counsels for the petitioners
and the State.

The petitioners are apprehending their
arrest in a case registered for the offences punishable under
Section 366A of the Indian Penal Code.

The accusation is of kidnapping the minor
daughter of the informant.

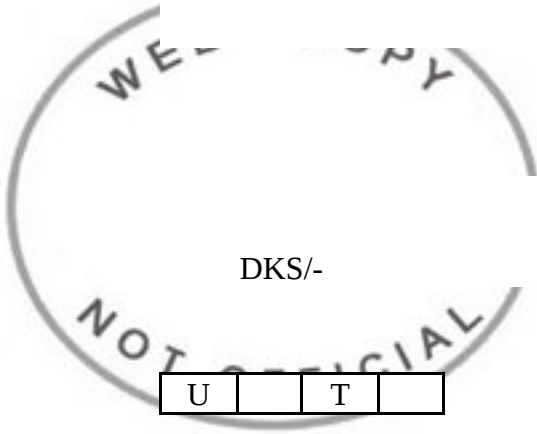
It is submitted by learned counsel for the
petitioners that in 164 Cr.P.C. statement the victim has got her
age recorded as 22 years when the court has assessed her as 16



years, though, as per the medical report she was found above 20 years. In 164 Cr.P.C. statement the victim has stated that she was not kidnapped rather she of her own went in the company of Tabrej and has performed marriage as she was in love with him from before and she is pregnant. The medical report also suggests that the victim was carrying pregnancy of 17 weeks 5 days. It is further submitted that the informant filed Patory P.S. Case No. 44 of 2015 making accusation under Sections 363, 366A, 452, 341, 323, 380/34 of the Indian Penal Code, 27 of the Arms Act and 3/4 of Explosive Substances Act with the accusation of kidnapping of her daughter and thereafter the present case was registered on 24.02.2015 and apart from these two cases no other case is pending against the petitioners. The certified copy of 164 Cr.P.C. statement has been produced. Let it be kept on record.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town

P.S. Case No. 153 of 2015, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.



DKS/-

(Dinesh Kumar Singh, J)

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