

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37033 of 2015

Arising Out of PS.Case No. -414 Year- 2014 Thana -NARPATGANJ District- ARRARIA

1. Hasan Raza son of Md. Hefazuddin @ Hafaz Jut Resident of Village-
Pathraha, Ward No.6, P.S- Ghurna (Narpatganj), District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha, Advocate

For the Opposite Party/s : Mr. Iftekhar Mahmood (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 28-09-2015

This matter has been listed under the heading “To be Mentioned” since the complete order dated 14.09.2015 was not typed. Hence the order dated 14.09.2015 be read as:-

“Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 363, 366A of the Indian Penal Code.

Accusation is of kidnapping the minor daughter of the informant.

It is submitted by the learned counsel for the petitioner that the victim girl has performed marriage with the petitioner and both are residing together. The victim was earlier married to one Md. Bashir, who divorced her. This fact has surfaced in 164 Cr.P.C. statement of the victim. The same has

been brought on record as Annexure-2. to the petition.

Considering the 164 Cr.P.C. statement of the victim girl, let the above named petitioner be released on provisional anticipatory bail for two months in the event of his 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) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Narpatganj P.S. Case No. 414 of 2014, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below after issuing notice to victim if she admits that she is residing with the petitioner as his wife.”

The order dated 14.09.2015 is modified to the extent above.

Let the earlier order dated 14.09.2015 be off loaded and the present order be uploaded. Henceforth, the certified copy of initial order dated 14.09.2015 shall not be issued.

(Dinesh Kumar Singh, J)

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