

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54063 of 2015

Arising Out of PS.Case No. -219 Year- 2010 Thana -LAHERIASARAI District- DARBHANGA

- =====
1. Musarrat Jabeen @ Musarrat w/o Nasim Ahmed
 2. Ahmad Kahkeshan Naseem @ Ahmad Kahkeshan Nasim @ Jugnu d/o Nasim Ahmed
- Both residence of Village- Fakira Khan, P.S.- Laheriasarai, District- Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjani Kumar Sinha

For the Opposite Party/s : Mr. Gulnar Begum(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 27-11-2015

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 366 of the Indian Penal Code.

The accusation is of abducting the daughter
of the informant. Though, the petitioners were named in the FIR
but they were not sent up for trial and during trial of others the
petitioners have been summoned in exercise of jurisdiction

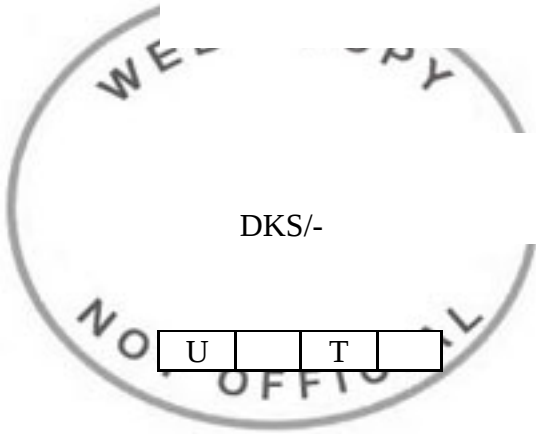
under the provisions of Section 319 of the Cr.P.C.

It is submitted by learned counsel for the petitioners that the learned Sessions Judge while considering the anticipatory bail application of the petitioners has not deliberated the evidence which persuaded the learned trial court to summon the petitioners in exercise of jurisdiction under Section 319 of the Cr.P.C.

Considering the fact that the petitioners were not sent up for trial and they have been summoned in exercise of jurisdiction under Section 319 of the Cr.P.C. coupled with the undertaking of the learned counsel for the petitioners that the petitioners will appear regularly before the learned trial court, 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 1st Additional Sessions Judge, Darbhanga in connection with Sessions Trial No. 221 of 2011 arising out of Laheriasarai P.S. Case No. 219 of 2010, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The learned trial court will be at liberty to

cancel the bail bonds of the petitioners, if they default for two consecutive occasions.



(Dinesh Kumar Singh, J)