

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41380 of 2014

Arising Out of PS.Case No. -296 Year- 2013 Thana -BIRaul District- DARBHANGA

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1. Hasmati Khatoon Wife of Jahoor Khan Resident of Village - Tarwara,
P.S. - Biraul, Distt. - Barbhanga

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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with

Criminal Miscellaneous No.41760 of 2014

Arising Out of PS.Case No. -296 Year- 2013 Thana -BIRaul District- DARBHANGA

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1. Saddam S/o Jahoor Khan Resident of Village Tarwara, Police Station
Biraul, District Darbhanga.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

(In Cr.Misc. No.41380 of 2014)

For the Petitioner : Mr. Pankaj Kumar Jha, Advocate.

For the State : Mr. Abhay Kr.Roy, A.P.P.

(In Cr.Misc. No.41760 of 2014)

For the Petitioner : Mr. Pankaj Kumar Jha, Advocate.

For the State : Mr. Kumar Veerendra Narayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

2 23-04-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

Two bail petitions are being heard together and disposed
of by common order as two cases arise in connection with Biraul
P.S. Case No. 296 of 2013, registered under Sections 363 and
366A of the Indian Penal Code.

There is allegation that sister of informant, Nikhat
Praveen @ Nazrana Parveen has been kidnapped by the petitioners

and an attempt was made by petitioner, Saddam for illegal Act. However, the statement of victim under Section 164 Cr.P.C. has been recorded and there is whole thrust of allegation against Saddam.

Having regard to the facts and circumstances of the case, the petitioner, namely, Hasmati Khatoon, in the event of her arrest/surrender within a period of four weeks from the date of receipt of the order in the court below shall be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, at Beniput, District-Darbhanga, in connection with Biraul P.S. Case No. 296 of 2013, Corresponding to G.R. No. 933 of 2013 subject to condition as laid down under Section 438 (2) of Cr.P.C.

So far petitioner in Cr. Misc. No. 41760 of 2014 is concerned; I am not inclined to grant anticipatory bail to the petitioner. However, if the petitioner surrender and prays for regular bail, it shall be considered on its own merit without being prejudice by the order.

m.p.

(Gopal Prasad, J)

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