

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3310 of 2016

Arising Out of PS.Case No. -164 Year- 2015 Thana -KUCHAIKOTE District- GOPALGANJ

1. Idan Miyan S/o Late Jhingur Miyan
2. Rahiman Khatoon W/o Idan Miyan, Both resident of village- Khajuri,
P.S.- Kuchi Kote, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok
For the Opposite Party/s : Mr. Dilip Kumar(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 08-04-2016 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners being father and mother of the boy,
who is said to have eloped with the daughter of informant, are
apprehending their arrest in connection with Kuchai Kote
P.S.Case No. 164/2015, registered for offences punishable under
Sections 363,366 and A/34 of the Indian Penal Code.

The case diary in the present case was called for,
which has since been received.

Learned counsel for the petitioners submits that
petitioner No. 1 is father and petitioner No. 2 is the mother of the
accused, who is said to have taken away the victim girl.

Considering the fact that there is no specific allegation
against the petitioner No. 2, let the petitioner No. 2 Rahiman

Khatoon in the event of her arrest or surrender before the Court below within a period four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in Kuchai Kote P.S.Case No. 164/2015 corresponding G.R. No. 2626/2015, subject to conditions as laid down under Section 438 (2) of the Cr. P.C.

However, in view of the fact that there is specific allegation of demand of money from the parents of the victim girl against the petitioner No.1, I am not inclined to grant anticipatory bail to the petitioner No.1.

The prayer for anticipatory bail of petitioner No. 1 is rejected.

However, if the petitioner No. 1 surrenders and seeks regular bail in the Court below, the learned Court below may consider the regular bail of the petitioner within a period of two weeks on its own merit without being prejudiced by the order of this order.

(Anjana Mishra, J)

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