

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23390 of 2016

Arising Out of PS.Case No. -37 Year- 2015 Thana -ARARIA District- ARRARIA

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Guddu @ Gufran @ Gufran Alam Son of Rasid Resident of village -
Bangama, P.S. and District Araria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta

For the Opposite Party/s : Mr. G.S.Gupta(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 24-05-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 363
and 366A/34 of the Indian Penal Code.

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

It is submitted by learned counsel for the
petitioner that the petitioner and the daughter of the informant
Rukhsar Parveen have performed marriage and both are majors
and now they have one male child. Statement to that effect has
been made in paragraph 6 of the petition, which reads as
follows:-

“That the petitioner and the victim girl/lady are majors and adults and they have married each other of their own volition and accord/desire the date of birth of petitioner is 1.1.1989 and date of birth of victim Rukshar @ Rukshar Praveen in 1.1.994 as per their Aadhar issued by the unique Identification Authority of India, after marriage, god blessed golden male child at Safdarjung Hospital, New Delhi. Both are living as husband wife.”

It is further submitted that in pursuance to Writ Petition (Criminal) No. 705 of 2015 filed by the victim Rukhsar Parween a Bench of Delhi High Court vide order dated 10.04.2015 directed to SHO. Jaitpur Police Station to provide adequate security to the petitioner and his wife-victim. The petitioner is ready to produce the victim girl before the learned court below on 11.07.2016 when the learned court below will record the statement of the victim girl.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail provisionally for three months, in the event of 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 the like amount each to the

satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 37 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

If the victim girl admits that she of her own married with the petitioner then the provisional bail of the petitioner will be confirmed by the learned court below otherwise the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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