

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.284 of 2016

Arising Out of PS.Case No. -18 Year- 2015 Thana -NATHNAGAR District- BHAGALPUR

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1. Md. Sami Alam, Son of Late Yunus.
 2. Nosaba Khatoon, wife of Sami Alam.
 3. Md. Mensar.
 4. Md. Wasi @ Md. Vashi Alam.
 5. Md. Khushhal @ Md. Khushhal Alam. All 3 to 5 are Sons of Late Md. Yunus. All are residents of village- Kharharva, P.S. Barahat, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal
For the Opposite Party/s : Mr. Ram Shankar Das(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-01-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 323, 308, 504, 452, 420, 366, 367, 307/34 of the Indian Penal Code and Section 3(1)(x) of the SC & ST (Prevention of Atrocities) Act.

The prosecution case is that on 26.06.2014 petitioner Nos. 1 and 2 took the wife of the informant in his absence and subsequently did not allow the wife of the informant to go with him. It is also alleged that accused persons abused the informant by calling caste name.

It is submitted by learned counsel for the petitioners that actually the informant abducted the daughter of petitioner Nos. 1 and 2 for which Mahila P.S. Case No. 6 of 2013 was registered under Sections 366A/34 of the Indian

Penal Code against the informant. Hence, maliciously the present case has been lodged. Moreover for the occurrence of 26.06.2014 the complaint was filed on 19.11.2014 which came to be registered as police case on 01.02.2015.

Considering the fact that case for abduction of daughter of petitioner Nos. 1 and 2 was lodged against the informant at earlier point of time and there is nothing on record to suggest that victim girl was married with the informant, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bhagalpur in connection with Nath Nagar (Madhusudanpur) P.S. Case No. 18 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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