

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10815 of 2016

Arising Out of PS.Case No. -574 Year- 2014 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Gulshan Khatoon wife of Md. Shamim
2. Md. Laloo Mian, son of late Ali Imam Mian
Both are residents of village-Nakched Tola, P.S.-Town Motihari,
District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-05-2016 A supplementary affidavit has been filed on behalf of the
petitioners, same be kept on record.

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case
instituted under Section 366A of the Indian Penal Code.

Allegation against the petitioners is that they have
adducted daughter of the informant.

It is submitted on behalf of the petitioners that they have
got no criminal antecedent. As per the allegation, one Md. Taj is
said to have married with the victim and the victim has given birth
to a child. Petitioner no. 1 is the sister of said Md. Taj and
petitioner no. 2 is father of said Md. Taj. The girl has been
produced by the petitioner and she has a three months old child in
her lap. She admits that she has married to the son of petitioner
no. 2 and given birth to a child. Annexure-A to the supplementary
affidavit is the Nikahnama of the girl in question. Annexure-B is
the Adhar Card of the girl and Md. Taj with the photograph of the
girl.

On behalf of the State, it is submitted that petitioners are

named in the F.I.R. but the fact is that the girl has married to the son of petitioner no. 2 and given birth to a child, who is now three months old, cannot be denied.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Motihari Town P.S. Case no. 574 of 2014/G.R. no. 4205 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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