

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Criminal Miscellaneous No.35659 of 2016

Arising Out of PS.Case No. -76 Year- 2016 Thana -TATARPUR District- BHAGALPUR

1. Md. Tanweer Alam @ Arzoo Son of Md. Safi Alam Resident of Village-  
Jabbarchak, Lalkothi, P.S. Tatarpur, District Bhagalpur.

.... .... Petitioner

Versus

1. The State of Bihar

.... .... Opposite Party

with

Criminal Miscellaneous No.35481 of 2016

Arising Out of PS.Case No. -76 Year- 2016 Thana -TATARPUR District- BHAGALPUR

1. Neha Daughter of Md. Shahid @ Chandu  
2. Bobby @ Bobby Wife of Sahid @ Chandu.  
3. Firoji Begum @ Bibi Firojee, Wife of Md. Safi Alam.  
All are Resident of Village- Jabbarchak, Lalkothi, P.S Tatarpur, District-  
Bhagalpur.

.... .... Petitioners

Versus

1. The State of Bihar

.... .... Opposite Party

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate  
Mr. Ranjan Kumar Jha, Advocate  
For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan, APP  
Smt. Sangeeta Sharma, APP  
For the informant : Mr. Sujit Kumar Gupta, Advocate

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA  
ORAL ORDER

3 21-10-2016 Heard learned counsel for the petitioners, learned  
counsel for the informant and learned counsel appearing on  
behalf of the State.

The petitioners in Criminal Miscellaneous No.  
35659 of 2016 and Criminal Miscellaneous No. 35481 of 2016

are apprehending their arrest in connection with Tatarpur P.S. Case No. 76 of 2016 registered for the offences punishable under Sections 366 and 366(A)/34 of the Indian Penal Code.

Learned Senior Counsel, appearing on behalf of the petitioners, submits that actually, the present case is one of love affair, but a totally different colour has been given to the entire occurrence and the petitioners are alleged to have kidnapped the victim girl for the purposes of entering into a marriage. The allegations which have been made are wholly misconceived.

Learned counsel appearing on behalf of the informant, however, submits that the entire story as made out by the petitioners are false and concocted and there was no love affair between the accused, namely, Md. Tanweer Alam @ Arzoo and the victim girl. The statement made under Section 164 of the Code of Criminal Procedure by the victim girl is surreptitious and goes to reveal that all the petitioners in connivance with one another tried to allure the victim girl into the residence and after administering her with the poisonous cold drink, she was carried away surreptitiously in the vehicle and confined illegally for a considerable length of time.

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

Learned counsel for the State after perusal of the case diary submits that there is an ample material in the case diary to indicate the guilt of the present petitioners. It is further submitted that the independent witnesses who have seen the girl being taken away in intoxicated state have narrated the events in a manner, as such it is not a case where the petitioners should be extended the privilege of anticipatory bail.

Having heard learned counsel for the petitioners, learned counsel for the informant and learned counsel for the State and on perusal of the materials, which are available on record as well as in the case diary, this Court is not inclined to enlarge the petitioners on bail and accordingly, their such prayer stands rejected.

**(Anjana Mishra, J)**

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