

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 44102 of 2016

Arising Out of PS.Case No. -189 Year- 2016 Thana -ALLOULI District- KHAGARIA
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- 1. Puran Sada, Son of Late Basdeo Sada.
- 2. Jamani Devi, Wife of Puran Sada, Both Resident of Village-Bhiroria, P.S. Allouli District Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mrityunjay Kumar, Advocate
For the State	:	Mr. A. A. Khan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 17-10-2016

Heard learned counsel for the parties.

The petitioners apprehend arrest in connection with Allouli P.S. Case No. 189 of 2016 dated 01.08.2016 instituted under Sections 363/366A/34 of the Indian Penal Code.

The allegation against the petitioners is that their son has kidnapped the minor daughter of the informant for the purpose of marriage.

Learned counsel for the petitioners submits that in the *fardbeyan* itself, it is obvious that there is no allegation against the petitioners and rather it has been stated that their son had run away with the daughter of the informant with the help of one Bijay



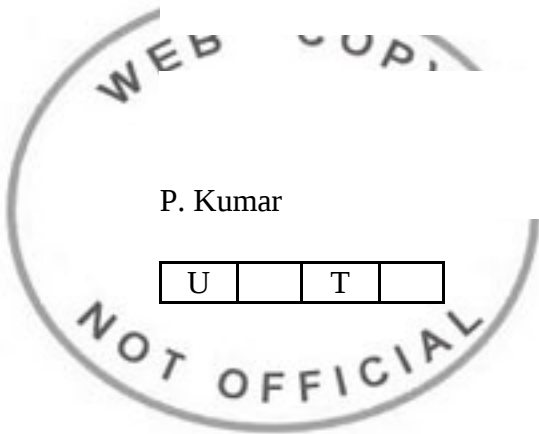
Poddar, who is the owner of the shop known as Sonu Monu Dresses. It is submitted that in the *fardbeyan* itself, it has also been admitted that the girl and the boy have run away and there was love affairs between them. Learned counsel submits that no allegation has been levelled with regard to any connivance or help by the petitioners in the daughter of the informant running away with the son of the petitioners. It is further submitted that the petitioner no. 1 is aged about 75 years whereas petitioner no. 2 is aged about 65 years having no criminal antecedent.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in Allouli P.S. Case No. 189 of 2016, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

Further, grant of anticipatory bail is subject to the condition that the petitioners shall cooperate with the police in

locating the daughter of the informant.



(Ahsanuddin Amanullah, J.)