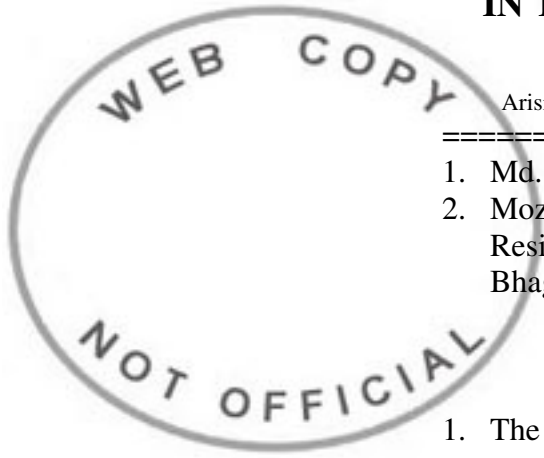




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25356 of 2016

Arising Out of PS.Case No. -203 Year- 2015 Thana -SAHKUND District- BHAGALPUR

- =====
1. Md. Sohail Ansari @ Sohail
 2. Mozamil Ansari @ Mozamin Ansari Both are Son of Md. Nisar Ansari, Resident of Village- Shekhpura, P.S. Sakhund (Sajjor), District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Sri Amrendra Prasad

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 01-07-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 366(A), 323, 504, 506, 34 of the Indian Penal Code.

The prosecution case is that the minor daughter of the informant was abducted by co-accused Md. Kalam Ansari when these petitioners facilitated the abduction. In 164 Cr.P.C statement the victim has specifically alleged that Md. Kalam Ansari took her to Ludhiyana, kept her in the house of his sister and established physical relationship. It is alleged against the petitioner No. 1 Sohail Ansari and co-accused Saddam Ansari being brothers of Md. Kalam Ansari that they assured the victim of her marriage with Md. Kalam Ansari. It is alleged against petitioner No. 2 that he took the victim from

the house of Md. Kalam Ansari to her parent's house.

It is submitted by learned counsel for the petitioners that that the thrust of accusation is against Md. Kalam Ansari. Subsequently the issue has been resolved and an application to that effect has been filed before learned Court below. A statement to that effect has been made in para 9 of the petition which reads as follows:-

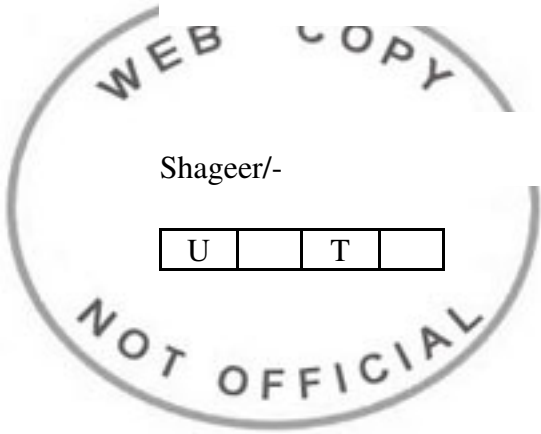
“That as per the Cr.P.C

Section 320 all sections are the compoundable Section & the informant was after his daughter marriage come in compromise before the Court below itself & there are no dispute between them.”

It is further submitted that subsequently Md. Kalam Ansari has performed marriage with the victim girl. A statement to that effect has been made in para 11 of the petition. Moreover similarly situated co-accused Saddam Ansari has been granted anticipatory bail by a coordinate Bench of this Court vide Cr. Misc. No. 21424 of 2016.

Considering the aforesaid facts, 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 Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Sahkund(Sajjour) P.S. Case No. 203 of 2015, G.R. No. 4419 of

2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)