

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2728 of 2016

Arising Out of PS.Case No. -106 Year- 2014 Thana -MANJHI District- SARAN

- =====
1. Maqsood Khan Son of Late Amanatullah Khan
 2. Kalimun Nisha Wife of Maqsood Khan Both Resident of Village-Dumari, P.S.-Manjhi, District-Sara, at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Roy

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-01-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 363, 366A of the Indian Penal Code.

The prosecution case is that the daughter of the informant was abducted by some persons on 16.06.2014 at 12:00 A.M in the night leading to registration of the present F.I.R against unknown. The victim in her 164 Cr.P.C statement got her age recorded as 17 years whereas Court also assessed as such, where she stated that she was being abducted by petitioner No. 1 and his son Chhotu Khan when they came on the roof of the house. Though petitioner No. 2 was standing on the ground when she was being taken through Bolero by three persons to Sakari, there she was locked for one week in a room and thereafter she was taken to Bangalore by taking some intoxicant and there she was stayed for fifteen days. Co-

accused Chhotu Khan used to threaten the victim but co-accused Jumman Khan brought her to Siwan.

It is submitted by learned counsel for the petitioners that in fact the victim was in love with Jumman Khan, as a result she admitted that Jumman Khan brought her to Siwan. The petitioners are old persons having several kids. The petitioners happen to be agnates of the informant. For the alleged occurrence of 16.06.2014 the F.I.R was registered on 06.07.2014.

Considering the unreasonable of the accusations levelled in the 164 Cr.P.C statement of the victim and the delayed lodging of the case and the petitioner No. 2 being a lady, let the petitioner No. 2, above named, in the event of her 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) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Vth, Saran at Chapra in connection with Manjhi P.S. Case No. 106 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner No. 1, Maqsood Khan is concerned, let learned Court below consider the prayer for regular bail of petitioner No. 1, if he surrenders within a period of six weeks in connection with Manjhi P.S. Case No. 106 of 2014, pending in the Court of learned Additional Chief Judicial

Magistrate, Vth, Saran at Chapra.

With the observations above, the application
with regard to petitioner No. 1 stands disposed of.

Shageer/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--