

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53522 of 2016

Arising Out of PS.Case No. -208 Year- 2016 Thana -NANHPUR District- SITAMARHI

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1. Md. Tufail @ Ahmad Reza Son of Md. Shabbir, resident of Village-
Bela Bahadurpur, P.S. Nanpur, District- Sitamarhi. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Ajay Kumar-1

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

3 15-02-2017 Heard Learned counsel for the petitioner and learned
counsel appearing on behalf of the opposite party No. 2.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections 363/
366(A)/34 of the Indian Penal Code.

On the earlier occasion, this Court had directed both the
parties to be present in Chambers. The victim girl is also here
along with her husband who is said to have kidnapped her.
However, the victim girl has stated before this Court that she had
gone with the petitioner on her own and had not been kidnapped
and had gone through a valid marriage and is living together with
the petitioner as husband and wife and that there is no dispute
whatsoever. The informant, who had also been directed to be
present on the said date, has appeared.

Having considered all facts and circumstances and also
because the informant has stated that considering the situation in
which the girl is presently placed and that she is in the family way, the



petitioner may be extended the privilege of anticipatory bail. Accordingly, let the petitioner abovenamed, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Nanpur P.S. Case No. 208 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

It is, however, made clear that this Court has not gone into the merit of the allegations made by the informant either way and it shall be open to the parties including the victim girl to take appropriate recourse to law as and when any dispute arises between them.

(Anjana Mishra, J)

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