

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12661 of 2017

Arising Out of PS.Case No. -48 Year- 2014 Thana -BAUNSI District- ARRARIA

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1. Md. Yunus , Son of Late Majid,
 2. Md. Zainul, Son of Late Muddi,
 3. Mohammad, Son of Late Shamser,
 4. Md. Rais, Son of Late Nasiruddin,
 5. Md. Aniul, Son of Late Muddi,
 6. Md. Yasin Son of Late Muddi,
 7. Bibi Ansari, Wife of Siddique,
 8. Bibi Hadisa, Wife of Md. Ainul, All are Resident of Village- Harpur, P.S.- Bousi, District- Arara.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv

For the Opposite Party/s : Mr. Sri Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-04-2017

Heard both sides.

The petitioners apprehend their arrest in Bousi P.S. Case No. 48 of 2014 for the offence punishable under Section 366A and other sections of the Indian Penal Code. The informant has alleged that Md. Moin along with petitioners, kidnapped her minor daughter, for the purpose of forcibly marrying with him. Learned counsel for the petitioners submits that prior to the



institution of the complaint filed by informant, Bibi Nikhat first wife of Md. Moin filed Complaint Case No. 510-C of 2014, in which Juli was made accused no. 5. It is submitted that Md. Moin solemnized second marriage with Juli and when the first wife of Md. Moin filed the complaint case, the mother of Juli filed the present complaint case making false and frivolous allegation. It is submitted that after two and a half years, Juli made her statement under Section 164 of the Cr.P.C. The petitioners have no concern with the affairs of Md. Moin and Juli.

Learned A.P.P. for the State, however, opposes the prayer for bail.

Having considered the fact that the petitioners are relatives of Md. Moin, no specific allegation has been made against the petitioners, hence, the **petitioner no. 1. Md. Yunus, petitioner no. 2. Md. Zainul, petitioner no. 3. Mohammad, petitioner no. 4. Md. Rais, petitioner no. 5. Md. Aniul, petitioner no. 6. Md. Yasin petitioner no. 7. Bibi Ansari, and petitioner no.8. Bibi Hadisa**, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount



each to the satisfaction of the **A.C.J.M.,VI, Araria** in connection with **Bousi P.S. Case No. 48 of 2014**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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