

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29675 of 2017

Arising Out of PS.Case No. -47 Year- 2017 Thana -SAHPUR District- BHOJPUR

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1. Gudul Khan, Son Late Alaudin Mian
2. Momtaz Mian @ Mumtaz Mian, Son of Idrish Mian
3. Khalil Mian, Son of Late Jalim Mian
4. Maimun Nisa, W/o Late Alaudin Khan

All are Resident of Village-Rudra Nagar, Police Station-Shahpur, District-Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramashray Roy, Advocate
Mr. Rangnath Dwivedi, Advocate.
For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 02-08-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Shahpur P.S.
Case No. 47 of 2017 instituted for the offence under Sections
366(A)/34 of the Indian Penal Code.

As per written report, minor daughter of the informant has
been kidnapped by these petitioners along with Jalil Mian.

Case diary has been received.

The statement of the victim girl has been recorded under
Section 164 Cr. P.C. in which she has stated that she has performed
marriage with Jalil Mian out of his own will and she wants to live with
Jalil Mian.

It has been submitted that petitioner Nos. 1, 2 and 4 are



neighbours whereas petitioner No. 3 is brother of Jalil Mian.

In such circumstances, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Shahpur P.S. Case No. 47 of 2017, they shall 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 Additional Chief Judicial Magistrate-14, Bhojpur at Ara, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

S.Ali/-

(Sanjay Priya, J)

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