

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29740 of 2017

Arising Out of PS.Case No. -196 Year- 2016 Thana -BARAULI District- GOPALGANJ

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1. Nabab Mian, son of Samshul Haque,
 2. Noor Hassan Mian, son of Nazir Ahmad Mian,
 3. Jainuddin Ansari @ Jainoddin Ansari, son of Mir Hassan Mian @ Mir Hassan, all resident of village- Rampur Baghegi, P.S.- Barauli, District-Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 18-07-2017

Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in Barauli P.S. Case No.196 of 2016 instituted for the offence under Section(s) 363, 366/34 Indian Penal Code.

It is alleged in the written report that the daughter of the informant, Husna Ara, aged about 20 years has been kidnapped by the petitioners and other accused as named in the First Information Report because she was taking active steps in the civil suit pending in the Court between the parties in Gopalganj. The informant has suspected that the accused persons have got her kidnapped because she was very active in taking steps in the civil litigation pending between the parties.



Case diary was called for, which has been received.

The learned APP after going through the case diary has stated that the witnesses have said during investigation that there is a land dispute between both the parties and the informant himself is hiding his daughter somewhere and has filed the instant case.

Counsel for the petitioners has submitted that the victim girl had love affairs with one Rintu Singh, which was opposed by the petitioner No.1, for which Rintu Singh attempted to dash the petitioner No.1 by Bolero vehicle due to which petitioner No.1 lodged Majhagarh P.S. Case No.98 of 2016 against the said Rintu Singh and family members of the informant.

It is mentioned in para 3 of the petition that the petitioners have clean antecedents.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Barauli P.S. Case No.196 of 2016, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial



Magistrate, Gopalganj, 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.

(Sanjay Priya, J)

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