

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30106 of 2017**

Arising Out of PS.Case No. -18 Year- 2017 Thana -MAHILA P.S BAGHA District-  
WESTCHAMPARAN(BETTIAH)

- =====
1. NABI ALAM KHAN @ NABI ALAM, S/o Rasul Mohammad Khan,
  2. Shamsuna Khatoon @ Shamsuna Khtoon @ Samsunesha, D/o Rasul Mohammad Khan,
  3. Teman Khan, S/o Late Kamaruddin Khan,
  4. Rasul Mohammad Khan, S/o Late Woli Khan,
  5. Nasima Khatoon @ Husne Ara Khatoon, W/o Nabi Alam Khan, All resident of Village- Jogiya, P.S.- Ramnagar, District- West Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar  
For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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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 arrest in Bagaha Mahila P.S. Case No. 18 of 2017 instituted for the offence under Sections-366A/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that the victim girl has given statement u/S 164 of the Cr.P.C. in which, she stated that she has performed marriage with Safi Alam Khan. The statement of victim girl is available at para-42 of the case diary.

As per written report, these petitioners have kidnapped the minor daughter of the informant.

It has been submitted that in the medical report, age of the victim girl has been assessed as 17-19 years, which finds place in paragraph 54 of the case diary. These petitioners are family members



and villagers of the said Safi Khan.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Bagaha Mahila P.S. Case No. 18 of 2017 to the satisfaction of learned Sub Divisional Judicial Magistrate, West Champaran, Bettiah subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (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 petitioner and (3) if petitioners tampers 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)**

A.K.V./-

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