

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4350 of 2018

Arising Out of PS.Case No. -162 Year- 2017 Thana -AWADPUR District- KATIHAR

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Sanawar @ Sanawar Alam S/o Late Tamijuddin, R/o Village- Gawal Toli,
P.S.- Abadpur, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-02-2018

The petitioner seeks bail in anticipation of his arrest in connection with Abadpur P.S. Case No. 162 of 2017 25.09.2017 instituted for the offences under Sections 363, 365/34 of the Indian Penal Code.

It has been alleged by the informant that her minor son was abducted by the petitioner and others and was married to a major girl.

The petitioner is named in the F.I.R.

Learned counsel for the petitioner, however, has submitted that the occurrence took place on 08.07.2017 and the knowledge about the participation of the petitioner and others was admittedly made known to the informant on the next day but curiously enough, the complaint was lodged after about 12-13



days i.e. on 21.07.2017. It has further been submitted on behalf of the petitioner that with respect to the petitioner and about four others, it has only been stated by the informant that they are of litigant nature and have been instrumental in commission of such type of acts in the past. It has further been submitted on behalf of the petitioner that in fact the son of the informant had committed rape of one Lal Bano Khatoon and the present case has been lodged by his mother only to save him from being prosecuted in the case of rape. It further appears from the impugned order that because of the intervention of the well wishers and relatives of the parties, the marriage of the son of the informant has been solemnized with Lal Bano Khatoon. The petitioner has also submitted that the informant has wrongly stated that her son is a minor; in fact, the son of the informant is about twenty two years of age. Under similar circumstances, other accused persons have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 11.01.2018 passed in Cr. Misc. No. 62832 of 2017.

For the facts stated above, the petitioner, above named is directed to be released on bail, in the event of his surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, subject



to his furnishing bail bond in the sum of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Abadpur P.S. Case No. 162 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Ashutosh Kumar, J)

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