

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26856 of 2018

Arising Out of PS. Case No.-588 Year-2017 Thana- KISHANGANJ District- Kishanganj

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1. Fuzeda Khan @ Famuza Khatoon, aged about 50 years, wife of Nizamuddin @ Bizwa.
 2. Afsar @ Afsar Alam, son of Samiruddin
 3. Nizamuddin @ Bizwa, son of Late Md. Ishaque
- All resident of Village-Birwa, P.S.- Kochadhaman,
District Kishanganj.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-05-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Kishanganj P.S. Case No.588 of 2017,
registered for the offence punishable under Sections 367 and
368 of the Indian Penal Code.

Allegation has been made that the informant had
gone along with her daughter, namely, Nurdana Begum for the
purposes of taking steps in the case before Court below, which
was filed against by her daughter against her ex-husband,
namely, Firoj Alam. While they were return, at the diversion
near Lahara Chowk, Firoj Alam, intercepted and forcibly took



away her daughter.

The statement of the victim recorded under Section 164 of the Cr.P.C. corroborated the statement made in the F.I.R. In her statement, the victim stated that Firoj Alam has taken her to the house of his second wife, where they have assaulted and asked her to put the signature on the document.

Learned counsel for the petitioners submits that the petitioner nos. 1 and 2 are the mother and father of second wife of Firoj Alam, namely, Pooja Rani @ Aisha Khan.

As the petitioner nos.1 and 2 are the parents of the second wife of Firoj Alam and no allegation has been attributed against petitioner no.3, let the above-named petitioners, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kishanganj, in connection with Kishanganj P.S. Case no.588 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioners for the purposes of investigation and interrogation, they will remain present for the



investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

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