

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27261 of 2018

Arising Out of PS.Case No. -336 Year- 2017 Thana -BARSOI District- KATIHAR

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Nijrul Ishlam @ Najrul Haque, Son of Late Md. Ishaque, Resident of
Village- Jagahar, 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. Suresh Prasad Sah @ Baranwal

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 04-05-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections 323,
365, 384, 420, 467, 468 and 504/34 of the Indian Penal Code.

The prosecution case got initiating with the
filing of Complaint Case No. 20262017 which ultimately came
to be registered as police case after complaint being transferred
under Section 156(3) Cr.P.C. It is alleged that the petitioner
kidnapped the informant on gun point in order to solemnize his
marriage with his daughter Najrul Haque. On refusal by the
informant the accused persons threatened to kill him. It is further



alleged that on 27.07.2017 forceful marriage was performed between the daughter of the petitioner and the informant and the accused also took the signature of the informant on several papers.

It is submitted by learned counsel for the petitioner that, in fact, the informant ravished the daughter of the petitioner leading to registration of Abadpur P.S. Case No. 185 of 2017 and in the said case in the statement recorded under Section 164 Cr.P.C. on 20.11.2017, as contained in Annexure-3, the victim has alleged that the informant has ravished her.

Learned APP, however, submits that the accusation is specific against the petitioner.

Though, the case lodged by the petitioner is subsequent to the present case but keeping in view of the fact that in the said case the victim has alleged accusation of rape against the informant, the marriage between the informant and petitioner's daughter though forcefully is admitted by the informant coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds 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 Barsoi P.S. Case No. 336 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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