

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52078 of 2018

Arising Out of PS. Case No.-70 Year-2018 Thana- MADHUBAN District- East Champaran

1. Sohan Mian,
2. Maulbi Mian, Both S/o Late Jamrati Mian,
3. Gaffar Mian Late Newajuddin Mian,
4. Anwar Mian Late Maulbi Mian,
5. Iddu Mian @ Indu Mian S/o Late Gagal Mian.
6. Kasidan Khatoon W/o Nawajuddin Mian,
7. Kasiran Khatoon W/o Iddu Mian @ Indu Mian, All R/o Saraiya,
P.S.- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-09-2018

Heard the learned counsel for the parties.

This application for anticipatory bail arises out of Madhuban P.S. Case No.70 of 2018, disclosing offences under Sections 341, 323, 379, 354B, 435 and 504/34 of the Indian Penal Code.

There are seven persons named in the F.I.R. who belong to the same family. It is alleged that the petitioner no. 1 had abducted the informant's son as he wanted his marriage to be performed with the informant's niece. It appears that some altercation had taken place between the informant and petitioner no. 1, whereafter, allegedly the accused persons had assaulted the informant and snatched some money. They are said to have assaulted the informant's daughter too.

Learned counsel appearing on behalf of the petitioners



has submitted that falsity of the case is apparent since all members of the family including the female members are also made accused in the F.I.R.

Considering the nature of accusation, this application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, East Champaran at Motihari in Madhuban P.S. Case No.70 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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