

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73226 of 2018

Arising Out of PS. Case No.-49 Year-2018 Thana- GAUNAHA District- West Champaran

1. Mansaf Mian Son of Noor Mohammad Mian
2. Sagir Mian Son of Mansaf Mian
3. Nayeem Mian @ Md. Naimuddin Son of Virjhan Mian All Resident of Village-Ahrar Pipra,P.S. Gaunaha,Distt.-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Gaunaha P.S. Case No. 49 of 2018, disclosing offence under Sections 366(A)/34 of the Indian Penal Code.

Allegation is against the accused, Arman Mian, who is said to have eloped with the victim. The petitioners have been named in the FIR with the allegation that they had also role to play in the said occurrence. The victim is a minor as alleged in the FIR.

Learned counsel appearing on behalf of the petitioners submits that there is no basis for their implication except vague



suspicion raised in the FIR. Considering the statement of the victim recorded under Section 164 of the Cr.P.C., in my view, case for grant of anticipatory bail is made out.

Accordingly, this application is allowed. The petitioners, above named, in the event of their arrest or surrender before the Court within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., West Champaran, Bettiah in connection with Gaunaha P.S. Case No. 49 of 2018, subject to the condition 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)

Pawan/Ragini

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