

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2368 of 2018

Arising Out of PS.Case No. -34 Year- 2017 Thana -RASULPUR District- SARAN

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1. Atif Khan
2. Mohram Miyan both s/o Md. Idrish Miyan r/o mohalla - Mirchaiya Tola,
Mahina Nagar, P.S. - Bhagwan Bazar, Distt. - Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Roy

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-01-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Rasulpur P.S. Case No.
34 of 2017 instituted for the offence under Sections-366A/34 of the
Indian Penal Code.

It has been submitted on behalf of the petitioner that the
victim girl in her statement u/S 164 Cr.P.C. has stated that she was
taken to Mumbai and Patna by Irfan who forced her to perform
marriage. These petitioners are brothers of Md. Irfan.

It has been submitted that with similar allegation, co
accused Tabassum Praveen has been granted anticipatory bail by this
court vide order dated 24-11-2017 passed in Cr. Misc. No. 48652 of
2017.

In such circumstances, prayer for anticipatory bail is
allowed and it is ordered that the petitioners named above in the event



of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Rasulpur P.S. Case No. 34 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-X, Saran at Chapra subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will liable to cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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