

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1760 of 2018

Arising Out of PS. Case No.-3 Year-2016 Thana- TISIAUTA District- Vaishali

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1. Akbari Khatoon, W/o Late Ameen Mian, R/o Village- Lemowari Siwaswara, P.S.- Patepur, District- Vaishali.
 2. Aiteyaz @ Anteyaz @ Md. Emteyaz S/o Late Ameen Mian, R/o Village- Lemowari Siwaswara, P.S.- Patepur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Shamimul Hoda

For the Opposite Party/s : Mr. SRI NAWAL KISHORE PRASAD

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-01-2018 Heard learned counsel for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 365 and 366(A)/34 of the IPC.

The prosecution case is of kidnapping the daughter of the informant namely, Anamika Raj on the point of pistol.

It is submitted by learned counsel for the petitioners that in 164 Cr. P.C. statement the victim has named Qurban Ali and Md. Manauwar alias Manohar. The victim has further admitted she was forced to perform court marriage with Md. Manauwar alias Manohar. The victim was recovered from the house of Md. Manauwar alias Manohar. It is further submitted that considering the thrust of accusation against Md. Manauwar



alias Manohar though the victim in 164 Cr.P.C. statement has named Md. Qurban Ali as one of the conspirators, Md. Qurban Ali has been granted anticipatory bail by this Court vide order dated 19.5.2016 passed in Cr. Misc. No. 22054 of 2016, as contained in Annexure 3. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Considering the fact that Md. Qurban Ali having been named by the victim in 164 Cr.P.C. statement, has been granted anticipatory bail, the petitioners have not been named by the victim and the fact that the victim has been recovered from the house of Md. Manauwar alias Manohar, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM- IX, Vaishali at Hajipur in connection with Tisiauta P.S. Case No. 3 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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