

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8296 of 2018

Arising Out of PS.Case No. -162 Year- 2017 Thana -ABADPUR District- KATIHAR

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1. Manglo, Son of Late Asir,
2. Salima Khatoon, Wife of Manglo
3. Md. Nijam, Son of Manglo, Petitioner nos. 1 to 3 is Residents of Village-
Gwdtoli, Police Station- Barsoi, District- Katihar.
4. Maulvi Haroon @ Md. Harun Rashid, Son of Md. Sharaful, Resident of
Village- Chhikna, Police Station- Barsoi, District- Katihar.
5. Md. Zuber, Son of Md. Rafiuddin, Resident of Village- Karibganj, Police
Station- Barsoi, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajiya Khatoon, Wife of Md. Musha, Resident of Village- Katahar,
Police Station- Abadpur, District- Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar
For the Opposite Party/s : Mr. Sri Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 17-02-2018 Heard both sides.

The petitioners apprehend their arrest in Abadpur
P.S. case No. 162 of 2017 under Section 363, 365/34 of the Indian
Penal Code.

The informant earlier lodged complaint case No.
1538 of 2017 on the basis of which the present FIR was lodged.
The informant alleged that her son, who is studying in class-IX,
was returning to his house on 08.07.2017 but accused No.1 to 5,
namely, Anis, Patani, Asraful, Sanawar and Md. Ahsan kidnapped



her son. When her son did not return, the informant made search and it transpired that petitioner No.1 and 2 got their daughter, Lalbano Khatoon, married with the son of informant. The informant alleged that petitioners also conspired in kidnapping of her son.

The learned counsel for the petitioners submits that informant is not an eye witness of the occurrence. It is further submitted similarly situated accused Patani and Asraful have already been granted anticipatory bail vide order passed in Cr. Misc. No. 62832 of 2017.

It appears from the record that son of the informant was kidnapped by the accused persons with a view to get him married with the daughter of petitioner No.1 and 2 and only thereafter the marriage was solemnized but the accused persons who are alleged to have kidnapped the son of informant have already been granted anticipatory bail.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on furnishing bail bond 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 Abadpur P.S. case No. 162 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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