

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.63393 of 2017

Arising Out of PS.Case No. -137 Year- 2017 Thana -AMAUUR District- PURNIA

- =====
1. Md. Mazharul @ Majahrul, son of Late Matibul
 2. Guria Khatoon wife of Mazharul Both resident of Village- Majhuwa, P.S. Amour, District Purnea.
 3. Bibi Kausari, wife of Md. Manjoor Alam, resident of Village- Belgachhi, P.S. Amour, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 07-02-2018

At the outset, the learned counsel for the petitioners prays for withdrawal of the anticipatory bail application of the petitioner No.1, namely, Md. Mazharul @ Madahrul, with a liberty to approach the concerned court for grant of regular bail.

The prayer is allowed.

The present petition is dismissed as withdrawn as far as petitioner no.1 is concerned.

Heard the learned counsel for the petitioners and learned counsel for the State.

The petitioners No.2 & 3 seek anticipatory bail in connection with Amour PS case no. 137 of 2017 registered for the offences punishable under Sections 363, 366/34 of Indian Penal Code.

Now, coming to the merits of the present case, there is



specific allegation in the FIR and more so in the statement of the victim girl made under Section 164 Cr. P.C. that she was kidnapped forcibly by the petitioner no.1 and one Guddu.

The learned counsel for the petitioners submits that as far as the petitioner nos. 2 and 3 are concerned, they are wife and daughter of the petitioner no.1, hence they have no complicity in the matter. It is submitted that the petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender before the court concerned within a period of six weeks from the date of receipt/ production of a copy of the present order, the petitioner Nos. 2 and 3, namely, Guria Khatoon and Bibi Kausari, respectively are directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Amour PS case no. 137 of 2017 subject to the conditions enumerated under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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