

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21017 of 2018

Arising Out of PS. Case No.-283 Year-2017 Thana- MAHNAR District- Vaishali

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1. Sanmaz @ Sahbaz Alam Son of Abdul Rauf Ansari.
 2. Md. Ajaz @ Ajiz Son of Md. Ayub Both Resident of Village- Fatehpur Kamali, P.S. Mahnar District Vaishali (Hajipur).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Lovekush Kumar, Advocate
		Mr. Sachchidanand Chaudhary, Advocate
For the Opposite Party	:	Mr. Madhura Nand Jha (APP-102)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 01-05-2018 Supplementary affidavit has been filed on behalf of the petitioners annexing copy of the statement of the victim girl recorded under Section 164 Cr.P.C. Keep it on the record.

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

The petitioners apprehend their arrest in connection with Mahnar P.S. Case No. 283 of 2017, registered for the offences punishable under Sections 363/365 of the Indian Penal Code.

Allegedly, the minor daughter of the informant was kidnapped by co-accused Wikky @ Samsher and it is further alleged that the petitioners and other F.I.R. named accused persons have also got hands in that kidnapping. It is also alleged that the daughter of the informant has taken away some ornaments



also.

Submission is of false implication and that the victim girl in her statement recorded under Section 164 Cr.P.C. has stated her age 23 years. She has further stated that her parents had assaulted her by pulling her hairs then she fled away with Wikky. She has performed marriage with Wikky and, as such, no offence as alleged is made out against the petitioners and the petitioners deserve sympathetic consideration.

The learned A.P.P. fairly submits that the victim girl has not supported the allegation of kidnapping in her statement recorded under Section 164 Cr.P.C..

In the facts and circumstances as stated above, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Vaishali at Hajipur, in connection with Mahnar P.S. Case No. 283 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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