

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39318 of 2018

Arising Out of PS. Case No.-142 Year-2018 Thana- ARARIA District- Araria

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1. Baharuddin S/o Late Khalil,
 2. Bibi Asmina W/o Baharuddin,
 3. Md. Masood Alam S/o Baharuddin,
- All are residents of Vill.- Fatkan Tola Ward No. 10 Belwa, P.S.
& District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Sri Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-07-2018 Heard learned Counsels for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered
for the offences punishable under Sections 365, 366, 504 and
506/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written
report dated 19.03.2018 submitted by Aabid Hussain to the
Station House Officer, Sadar Police Station, Araria is to the
effect that on 17.03.2018 at 7.00 P.M., the daughter of the
informant, namely, Raziya Sultana aged about 16 years had
gone to market, but did not return. On search being made, it was
found that Md. Sawood Alam along with an unknown person
getting the daughter of the informant eloped on an Apache



motorcycle. The informant went to the house of the Md. Sawood Aalam, where he was not present, but on query about Md. Sawood Alam, all the petitioners, being his family members, abused and assaulted the informant and threatened him not to lodge criminal case.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against Md. Swood Alam. The petitioners have been roped in the present case simply because they happen to be the parents and brother of co-accused, Md. Swood Alam. It is further submitted that in the statement recorded under Section 164 of the Cr. P.C., the victim has not stated anything against the petitioners. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioners are named in the FIR with specific accusation.

Considering the thrust of accusation against co-accused Md. Swood Alam, who is the son of the petitioner nos. 1 and 2 and no statement made by the victim in the statement under Section 164 of the Cr. P.C., let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, 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 CJM, Araria,
in connection with Araria P.S. Case No.142 of 2018, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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