

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23221 of 2019

Arising Out of PS. Case No.-414 Year-2014 Thana- BARHARIA District- Siwan

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1. Sahnaj Begum @ Sahnawaj Begum, aged about 44 years, Female, Wife of Mohammad Asharaf
 2. Mohammad Asharaf, aged about 48 years, Male, Son of Late Alijan Miyan
Both resident of Village- Tarwara, P.S.- G. B. Nagar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.

For the Opposite Party/s : Mr.Ansarul Haque, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 11-04-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Barharia (G.B. Nagar) P.S. Case No. 414 of 2014 registered for offences under sections 366(A)/34 of the Indian Penal Code.

In the present case, an allegation of kidnapping of minor girl for the purpose of marriage has been made against the petitioners but, the statement of the victim girl made under Section 164 of the Cr.P.C. before the Magistrate shows that the victim girl had gone along with Prem Chand Babu on her own will and entered into the marriage.



Learned counsel for the petitioners submits that a wrong case has been lodged against the petitioners and have falsely been implicated in the present case.

Looking to the entire facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Barharia (G.B. Nagar) P.S. Case No. 414 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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