

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22901 of 2019

Arising Out of PS. Case No.-303 Year-2018 Thana- Sursand District- Sitamarhi

-
1. Sarfraz Ansari @ Sarfraz Ahmad aged about 42 years (male) Son of Dr. Jamal Ansari
 2. Golden Ansari aged about 38 years (male) Son of Dr. Jamal Ansari
 3. Chhotu Ansari @ Iftekhar Ahmad aged about 32 years (male) Son of Dr. Jamal Ansari
- All resident of Village- Kumma, P.S.- Sursand, District- Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Ashok Kumar Jha Ms. Preety Kunwar, Advocates
For the Opposite Party	:	APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

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

2. The petitioners apprehend their arrest for the offences alleged under Section 366/34 of the Indian Penal Code registered in connection with Sursand P.S. Case No. 303 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the brothers of Julfikar with whom the informant's daughter, namely, Noorie Khatoon had eloped voluntarily as evident from her statement recorded under Section 164 of the Cr.P.C. The age of the informant's daughter has been assessed as 18 years and she has been permitted by the learned court below to accompany her husband. It is therefore submitted that the ingredients of the offence under Section 366 of the IPC are not made out against the petitioners, who claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of



communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Mr. Kavindra Kumar, learned Judicial Magistrate, Pupri, Sitamarhi in connection with Sursand P.S. Case No. 303 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

(Vikash Jain, J)

U		T	
---	--	---	--

