

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29395 of 2019

Arising Out of PS. Case No.-152 Year-2018 Thana- SIMRI District- Darbhanga

MD. FAROOQUE Son of Md. Firoz @ Firoz Alam Resident of Village -
Banauli, P.S.- Simri, Distt - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Shama Sinha, Adv
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 25-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 363 and 366(A) of the Indian Penal Code
registered in connection with Simri P.S. Case No. 152/2018.

3. It is submitted that the petitioner has been falsely
implicated and as a matter of fact it is a case of love affair
between the petitioner and the informant's daughter, the latter
being a Muslim girl having attained puberty was entitled to
marry of a person of her choice without consent of her parents.
The victim girl has stated in her deposition recorded under
Section 164 Cr.P.C. that she has voluntarily accompanied the
petitioner and solemnized marriage with him in Mumbai. The
petitioner claims clean antecedents.

4. Be that it may, in the event of petitioner's arrest or
surrender within four weeks hereof let the above named
petitioner be released on bail on furnishing bail bond of
Rs.10,000/- [ten thousand] with two sureties of like amount each
to the satisfaction of learned CJM, Darbhanga, in connection with



Simri P.S. Case No. 152/2018, subject to the conditions as laid down under Section 438(2) Cr. P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

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

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

(v) That the petitioner shall produce his wife (the informant's daughter) before the learned Court below at the time of surrender.

(Vikash Jain, J)

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