

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30459 of 2019

Arising Out of PS. Case No.-127 Year-2019 Thana- KHAJANCHI HAT District- Purnia

1. MD. RAYEES @ MD. RAIS Son of Late Sheikh Alimuddin, Resident of Village - Faryani, P.S.- Srinagar, Distt - Purnea.
2. Md. Rajee @ Razi Son of Late Kyamuddin, Resident of Village - Faryani, P.S.- Srinagar, Distt - Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-05-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with K. Hat P.S. Case No. 127 of 2019 registered for offence punishable under section 366-A/34 of the Indian Penal Code.

Allegation has been made to have kidnapped the daughter of informant for the purpose of marriage and the statement of girl has been recorded under section 164 Cr. PC. from where it appears that one Gauhar Alam and his friend forcibly took away her at Araria and from there, they brought her to Patna and Delhi. The girl was recovered by the police and was handed over to her father.

The learned counsel for the petitioners submits that



petitioner no. 1 is father whereas petitioner no. 2 is Mama of Gauhar Alam, having no connection with regard to the aforesaid incident, but have wrongly been framed in the present case.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with K. Hat P.S. Case No. 127 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Shivaji Pandey, J)

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