

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75189 of 2018**

Arising Out of PS. Case No.-173 Year-2018 Thana- RAMGARHWA District- East
Champaran

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1. Nesarul Haque @ Nesarul Haque Son of Serayul Haque,
2. Serayul Haque, Son of Late Majmil Miyan,
3. Sajra Khatoon @ Sajre Khatoon, Wife of Serajul Haque,
All residents of Village- Bela, P.S.- Ramgarhwa, District- East Champaran.
... .. Petitioners
- Versus
- The State Of Bihar
... .. Opposite Party
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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh
For the Opposite Party/s : Mr.Sri Nityanand

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

4 11-04-2019 This application, for grant of anticipatory bail, arises
out of Ramgarhwa P.S. Case No. 173/18, disclosing offences
under Sections 366(A)/34 of the Indian Penal Code.

Allegation against petitioner no. 1 is of kidnapping
the minor daughter of the informant and petitioner nos. 2 and 3
are father and mother of petitioner no. 1 and allegation against
them is that when the informant went to enquire about her
daughter, they assured her that her daughter would return in two
to four days but the girl did not return and the informant
suspected the hands of all accused persons in kidnapping of her
daughter.

Submission of learned counsel for the petitioners is
that the materials collected during course of investigation shows



that the girl has before the police along with her father and further the girl in her statement recorded under Section 164 Cr.P.C. has made allegation of kidnapping against petitioner no. 1 but in the later part, she has also stated that she wants to marry and reside with petitioner no. 1 and the girl has disclosed her age as 18 years.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul, Motihari, in connection with Ramgarhwa P.S. Case No. 173/18, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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