

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.79753 of 2018**

Arising Out of PS. Case No.-122 Year-2018 Thana- PHULWARIA District- Begusarai

1. Md. Rashid son of Mohammad Furkan,
2. Md. Raja @ Md. Mojahid, son of Md. Sularha @ Md. Mansur, Both resident of village- Fulwaria - 3 Ward No. 5, P.S. Fulwaria, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Md. Fahimuddin

For the Opposite Party/s : Mr.Md. Ashlam Ansari

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      17-01-2019                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 366A, 504, 506/34 498A of the Indian Penal Code.

Allegation is that the accused persons including the petitioners kidnapped the minor daughter of the informant on the point of arms.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been made accused due to mistake of fact. The victim girl has been recovered. Her



statement under Section 164 of the Cr.P.C. has been recorded. She has not named these petitioners in her statement. She has admitted that she had left with co-accused, namely, Md. Monu out of her own will as she wanted to marry with the said co-accused.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Raghubir Prasad, J.M. 1<sup>st</sup> class, Begusarai in connection with Fulwaria P.S. case No.122 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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