

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35649 of 2019

Arising Out of PS. Case No.-64 Year-2018 Thana- SURSAND District- Sitamarhi

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1. Saraful Khatoon Wife of Md. Zaid
 2. Md. Shekh Kaum @ Shekh Kaum @ Abdul Kaium Son of Late Hakim
Both are Residents of Village- Chandpatti, P.S.- Sursand, District-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-06-2019 Heard learned counsel for the petitioners.

The petitioners apprehend their arrest in connection with
Sursand P.S.Case No. 64 of 2018 registered under Sections 363
and 366A/34 of the Indian penal Code.

Allegation against the petitioners is that they abducted the
minor daughter of the informant when she was coming from
market to her residence.

Submission of learned counsel for the petitioners is that
petitioners are innocent and petitioner no. 1 is mother and
petitioner no. 2 is grand-father of Md. Tanveer with whom
victim girl had friendship. He further submits that incident had
taken place on 28.03.2018 but the FIR has been lodged after
much delay on 02.04.2018 and there is no specific allegation
against these petitioners. The victim girl has been recovered by



the police and was produced before the Magistrate, who recorded her statement under Section 164 Cr.P.C. in which she has specifically stated that she had voluntarily gone to her *Bua's* house and she has not taken the names of the petitioners and has stated that nobody had abducted her.

Learned counsel for the State opposes the prayer for anticipatory bail of the petitioners.

After having heard the rival submissions of learned counsel for the parties and perusal of FIR and the statement of the victim girl recorded under Section 164 Cr.P.C., I am satisfied that petitioners deserve privilege of anticipatory bail. Accordingly, petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, are directed to be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned SDJM, Pupri at Sitamarhi in connection with Sursand P.S. Case No. 64 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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