

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35567 of 2019

Arising Out of PS. Case No.-371 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

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HAMID RAZA @ HAMID ANSARI Son of Late Amruddin Ansari Resident
of Village - Chainpur, P.S.- Piprakothi, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bal Govind Sharma

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 13-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 363, 366(A), 34 of the Indian Penal Code.

The prosecution case as lodged by the informant is that his villager Mainuddin Ansari was working as a Molvi in his village mosque meanwhile on 22.06.2018 at 11 o'clock Mainuddin Ansari, Upendra Kumar, Hamid Raza (petitioner), Noor Alam Ansari came on a motorcycle at his house and forcibly lifted her daughter Kaisar Khatoon before his wife and mother. On protest all the above accused threatened to kill them and at that time he has gone to his matrimonial place. When he came to know about the said incident, returned back and started



to search his daughter but she did not trace and he suspected that for illegal work her daughter has been taken away by the accused persons.

It has been submitted on behalf of the petitioner that he is innocent, bears no criminal antecedent, committed no offence and has been falsely implicated in this case. It is further submitted that the victim girl in her statement under Section 164 of Cr.P.C. before the J.M. 1st Class, Raxaul at Motihari she stated that she herself performed Nikah with Mainuddin Ansari.

In the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran, Motihari in connection with Muffasil Police Station Case No. 371 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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