

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47424 of 2019

Arising Out of PS. Case No.-29 Year-2019 Thana- DURAULI District- Siwan

1. Imteyaz Ansari @ Intyaz Hussain, Son of Serajuddin Ansari Resident of Village - Bishwaniya, Dhushi, P.S.- Darauli, District- Siwan
2. Serajuddin Ansari @ Sirajuddin Son os Manual Ansari Resident of Village - Bishwaniya, Dhushi, P.S.- Darauli, District- Siwan
3. Sarfuddin Ansari @ Sarfuddin Son of Aas Mahmad Resident of Village - Bishwaniya, Dhushi, P.S.- Darauli, District- Siwan
4. Kamurin Khatoon @ Kamru Nesa Wife of Ishhaque Ansari Resident of Village - Bishwaniya, Dhushi, P.S.- Darauli, District- Siwan
5. Sahira Khatoon, Wife of Salamudin Resident of Village - Bishwaniya, Dhushi, P.S.- Darauli, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 31-07-2019 Heard learned counsel for the petitioners and
learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with
Darauli P.S. Case No.29 of 2019 for the offence punishable
under Sections 366(A), 34 of the Indian Penal Code.

The allegation against the petitioners is that on
16.02.2019, petitioner No.1, Imteyaz Ansari, came at the door of
the informant and took his daughter with him on motorcycle and
when the daughter of the informant did not return, the present



FIR has been lodged.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case with oblique motive. He further submits that entire family has been implicated in the present case by the informant whereas the victim girl aged about 17 years has been recovered and her statement under Section 164 Cr.P.C. has been recorded in which she has categorically stated that one Sunil had taken her to Puna with whom she has love affairs. Learned counsel for the petitioners submits that after perusal of the statement of victim girl under Section 164 Cr.P.C., it is evident that none of the petitioners' name has been taken by the victim girl and on the contrary, she has taken the name of one Sunil and the petitioner No.1 is not Sunil, rather he is Imteyaz Ansari.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that victim girl has not disclosed the name of petitioner No.1 or any other family members in commission of the present offence, as such, I am inclined to grant anticipatory bail to all these petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a



period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Siwan, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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