

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50179 of 2019

Arising Out of PS. Case No.-167 Year-2018 Thana- THAWE District- Gopalganj

SABIR MIAN Son of Moharam Miyan Resident of Village - Bargachhiya
(Ramchandarpur), P.S.- Thawe, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-08-2019 The petitioner apprehends his arrest in connection with
Thawe P. S. Case No. 167 of 2018 registered under Sections
366A/34 of the Indian Penal Code.

Allegation against the petitioner, as per FIR, is that daughter of the informant, aged about 17 years, was enticed by Mamta Devi and Mina Devi who took her away to their house on 16.08.2018 and when daughter of the informant did not return back, informant went to the house of Mamta Devi and Mina Devi and came to know that Manish Kumar and Sunita Devi abducted her daughter for the purpose of marriage. It is alleged that petitioner helped the daughter of the informant and Manish Kumar in fleeing away on his vehicle in which hands of other accused persons are also there.

Learned counsel appearing on behalf of the petitioner



submits that petitioner has falsely been implicated in this case inasmuch as petitioner is not owner of any vehicle and never allowed other accused persons to ride the vehicle of the petitioner. Learned counsel further submits that abducted girl Nitu Kumari has been recovered and in her statement, recorded under Section 164 Cr.P.C., she has stated that she has got married with Manish Kumar and has not taken the name of this petitioner as one of the persons involved in this occurrence. Learned counsel further submits that Manish Kumar, who got married with the victim girl and Mamta Devi, who had allegedly enticed the victim girl, have been granted anticipatory bail by co-ordinate Benches of this Court vide Cr. Misc. No. 4897 of 2019 and Cr. Misc. No. 4729 of 2019.

After having heard learned counsel for the parties and taking into consideration the fact that the victim girl has not disclosed the name of petitioner in her statement recorded under Section 164 Cr.P.C. and the main accused persons have been granted privilege of anticipatory bail, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, 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, be released on



bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Gopalganj in connection with Thawe P.S.Case No. 167 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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