

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69656 of 2018

Arising Out of PS. Case No.-132 Year-2018 Thana- DHURAIYA District- Banka

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1. Md. Jainul Ansari @ Zainul Ansari, Son of Late Habib Ansari,
 2. Bibi Mustakima, Wife of Md. Jainul Ansari,
- Both Resident of Village - Kurma, P.S.-Dhoraiya, District - Banka.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Vijay Anand, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 07-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Section 366(A)/34 of the Indian Penal Code registered in connection with Dhoraiya P.S. Case No. 132 of 2018

3. It is submitted that the petitioners, who are aged parents of co-accused Md. Sohail Ansari, have been falsely implicated. As a matter of fact, the so-called victim girl is major as evident from Aadhar Card. She has voluntarily solemnized her *Nikah* on 27.06.2018 with said Md. Sohail Ansari as evident from *Nikahnama* after leaving home as her father wanted to marry with another person. The petitioners claim clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with



Dhoraiya P.S. Case No. 132 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions--

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

BT/Chandran

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