

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54764 of 2019

Arising Out of PS. Case No.-159 Year-2019 Thana- KRITYANAND NAGAR District-
Purnia

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1. BIBI NASRIN KHATOON @ NASRIN Wife of Md. Masud Resident of Village - Rahekpur, P.S. - K. Nagar, District - Purnea.
 2. Md. Mujahid @ Mujahid Son of Nasim Resident of Village - Rahekpur, P.S. - K. Nagar, District - Purnea.
 3. Munni Khatoon @ Munni Khatoon Sitara Daughter of Md. Iliyas Resident of Village - Bareta, P.S. - Kasba, District - Purnea.
 4. Md. Mumtaz Son of Md. Iliyas Resident of Village - Bareta, P.S. - Kasba, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 30-08-2019 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
K. Nagar (Shrinagar) P.S. Case No.159 of 2019 registered under
Sections 365, 366 and 366(A)/34 of the Indian Penal Code.

The accusation is of kidnapping the sister of the informant
by Md. Sarfaraz Alam with the help of the petitioners and one Md.
Azmal.

Learned counsel for the petitioners submits that, in fact,
due to love affair in between the sister of the informant and Md.



Sarfaraz Alam, the sister of the informant left her house and performed the 'Nikah' with him but with an ulterior motive, the petitioner nos.1, 3 and 4, who are mother, maternal aunt and maternal uncle of Md. Sarfaraz Alam, and the petitioner no.2, who is tempo driver, have falsely been implicated in this case. Further submission is that after performing Nikah with Md. Sarfaraz Alam, the sister of the informant was examined under Section 164 of the Code of Criminal Procedure in which she has stated that after performing the Nikah with Md. Sarfaraz Alam, she expressed her desire to go to his house and went there but, on the pressure of the informant, she has disclosed the name of the petitioners having hand in her kidnapping. Md. Sarfaraz Alam is already in custody.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnea, in connection with K. Nagar (Shrinagar) P.S. Case No.159 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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