

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66260 of 2019

Arising Out of PS. Case No.-253 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. REYAZ MIAN @ REYAZ AHMAD Son of Allauddin Mian Resident of Village-Dunkan Road Sundarpur Road, P.S-Haraiya (Raxaul), District-East Champaran.
 2. Safi Mian Son of Allauddin Mian Resident of Village-Dunkan Road Sundarpur Road, P.S-Haraiya (Raxaul), District-East Champaran.
 3. Allauddin Mian @ Allauddin Son of Late Samsuddn Mian Resident of Village-Dunkan Road Sundarpur Road, P.S-Haraiya (Raxaul), District-East Champaran.
 4. Beguni Khatoon @ Nisha Khatoon @ Begum Khatoon D/o Gawai Mian Resident of Village-Dunkan Road Sundarpur Road, P.S-Haraiya (Raxaul), District-East Champaran.
 5. Anish Mian @ Anish Alam Son of Bhanu Mian Resident of Village-Ramgharwa, P.S-Ramgharwa, District-East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Arti Kumari D/o Santosh Saraf Resident of Village-Mishra Tola Dunkan Road Raxaul, Ward No.4, P.S.-Hariya (Raxaul), District-East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Tondon
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-10-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 253 of 2018 disclosing offences under Sections 366A, 376, 313, 34 of IPC.

Petitioners are said to have father, mother and other family members of one Rahul Miyan and there is allegation against them that they have kidnapped the complainant.

Submission of the learned counsel for the petitioners



is that earlier two separate cases have been lodged by mother of the present complainant and another father of the present complainant. In both the cases, the statement of the girl has been recorded under Section 164 Cr.P.C., in which, she has not supported the prosecution case, rather she has stated that she has married with her own sweet will with Rahul Miyan. Further she has made such statement before the learned Sessions Judge and she has also not made any allegation against these petitioners.

Heard learned A.P.P. also.

Having heard both sides, considering the fact that petitioners are family members of main case, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned S.D.J.M., Rasaul, at Motihari, in connection with Complaint Case No. 253 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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