

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58176 of 2019

Arising Out of PS. Case No.-468 Year-2018 Thana- JOGAPATTI District- West Champaran

1. MD. MURTUZA Son of Late Nathuni Mian Resident of Village- Baswariya Dhuniyapatti, Ward No. 29, P.S.- Bettiah Town, District- West Champaran.
2. Begum Khatoon Daughter of Hamid Mian Resident of Village- Baswariya Dhuniyapatti, Ward No. 29, P.S.- Bettiah Town, District- West Champaran.
3. Rubida Khatoon @ Rubaida Khatoon Wife of Aas Mohammad Mian Resident of Village- Baswariya Dhuniyapatti, Ward No. 29, P.S.- Bettiah Town, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-09-2019 This application, for grant of anticipatory bail, arises out of Yogapatti P.S. Case No. 468/18, disclosing offences under Sections 363, 366(A)/34 of the Indian Penal Code.

Prosecution case is of kidnapping the minor daughter of the informant by some co-accused persons and further allegation is that when the informant contacted the co-accused, who are relative Md. Wazid, against whom there is allegation of kidnapping the minor daughter of the informant, they abused him.

Submission of learned counsel for the petitioners is that there is no allegation against them is of kidnapping the



daughter of the informant and they have been made accused only because, they happened to be relative of co-accused Md. Wazid and except that there is nothing against the petitioners.

Learned counsel for the State opposed the prayer for bail on the ground that the girl is still traceless.

Having heard both sides, considering the facts and circumstances, 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 each to the satisfaction of learned Additional Sessions Judge -I-cum- Special Judge, Bettiah, West Champaran, in connection with Yogapatti P.S. Case No. 468/18, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is further subject to the condition that they will cooperate in investigation as well as cooperate in recovery of the girl.

(Vinod Kumar Sinha, J)

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