

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65451 of 2019

Arising Out of PS. Case No.-730 Year-2018 Thana- CHAPRA TOWN District- Saran

1. Chand @ Faiyaz Rayeen, Son of Md. Safique Resident of Village - Karimchak Korar (Khanua Nala), P.S. - Chapra Town, District - Saran.
2. Jarina Khatoon @ Jarina, Wife of Chand @ Faiyaz Rayeen Resident of Village - Karimchak Korar (Khanua Nala), P.S. - Chapra Town, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-11-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Chapra Town P.S. Case No.730 of 2018, for the offence punishable under Sections 363, 366/34 of the Indian Penal Code.

The allegation against the petitioners is that petitioners along with other accused persons abducted the sister of the informant.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case inasmuch as victim girl has been recovered and her statement under Section 164 Cr.P.C. has been recorded. Learned counsel referring to Annexure-2 which is the statement of victim girl recorded under Section 164 Cr.P.C. submits that from perusal of the same, it appears that victim



girl has categorically stated that one Farookh along with one another person kidnapped her and took her to the house of his sister. Learned counsel for the petitioner further submits that petitioner have been implicated only due to the fact that petitioner No.1 happens to be the brother-in-law of co-accused, Farookh and petitioner No.2 is sister of Farookh.

Having regard to the submissions made by the parties and taking into consideration the fact that in her statement under Section 164 Cr.P.C., the victim girl has not disclosed the name of these petitioners as her abductors, I am inclined to grant anticipatory bail to all these petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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