

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74407 of 2019

Arising Out of PS. Case No.-479 Year-2019 Thana- MOTIHARI TOWN District- East
Champaran

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1. RAJJAK MIAN @ RAJAK MIAN Son of Saukat Mian Resident of Village - Jamla, P.S.- Muffasil, District- East Champaran
 2. Kamrul Nesha @ Kamlunesha Wife of Rajjak Mian @ Rajak Mian Resident of Village - Jamla, P.S.- Muffasil, District- East Champaran
 3. Md. Tabrej @ Tabrej Alam Son of Rajjak Mian @ Rajak Mian Resident of Village - Jamla, P.S.- Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 13-12-2019 Heard learned Counsel for the petitioners and the learned APP for the State.

Petitioners apprehend arrest in Town PS Case No. 479 of 2019 registered under Sections 363, 365, 370, 366A and 34 of the IPC.

Referring to the allegations made in the FIR as well as deposition of the victim it is submitted by petitioners' counsel that petitioners, who are old mother and father of accused Parwej have been implicated in this case only because they are alleged to have assured the parents of the victim girls that they would ensure that the girls are returned. There is no allegation of any complicity in taking away or kidnapping the girls.

On going through the case diary learned APP is not in a position to stated that there is any other material against the



petitioners.

Considering the aforesaid submissions as also the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed.

In the event of arrest or surrender before the court below within four weeks from today, let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM East Champaran, Motihari in Town PS Case No. 479 of 2019 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also subject to the following conditions:- (I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner. (ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to the cancelled.

(Madhuresh Prasad, J)

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