

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8766 of 2020

Arising Out of PS. Case No.-81 Year-2019 Thana- BATHNAHA District- Sitamarhi

MD. RUSTAM DARJI Son of Mustafa Darji Resident of Village-Kamaldah,
Police Station-Bathnaha, District-Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection with Bathnaha P.S. Case No. 81 of 2019 for the offence punishable under Sections 366(A), 372, 34 of the Indian Penal Code.

The allegation is regarding the petitioner having kidnapped the victim girl.

The learned counsel for the petitioner has submitted that the petitioner is innocent, is having a clean antecedent and has got no complicity in the matter. It is further submitted, by referring to the statement made by the victim girl under Section 164 Cr. P.C. before the learned Magistrate, that the victim girl had voluntarily eloped with the petitioner since she was having



love affair with him, moreover, no untoward incident has been committed by the petitioner herein.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, coupled with the fact that the petitioner is having a clean antecedent and no untoward incident has been committed by the petitioner, I deem it fit and proper to direct for release of the petitioner on anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioners above named are directed to be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Bathnaha P.S. Case No. 81 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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