

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11766 of 2020**

Arising Out of PS. Case No.-73 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

HABBU MIYAN @ MD. AUUTALIM Son of Md. Subhan Miyan @ Md.
Suman Miyan Resident of Village - Ulab, P.S.- Muffasil, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh, Adv.
For the Opposite Party/s : Mr.Ansar Ul Haque, APP

=====

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 18-06-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Begusarai Muffassil (Singhaul O.P.) P.S. Case No. 73 of 2019, registered for the offence punishable under sections 363, 366A and 34 of the Indian Penal Code.

As per allegation in the FIR, it is stated by the informant that his 17 year old minor daughter was kidnapped by the petitioner and other accused persons.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. It is further submitted that daughter of the informant



returned and her statement was recorded under section 164 Cr.P.C., a copy of which has been brought on record as Annexure-2 to the petition. From the contents of the said petition it is stated that the daughter of the informant states that she had gone from her home to Barauni Station and stayed there at night. She further states that she had a talk on telephone with Talim, the petitioner herein who asked her to stay at station and that he was coming. She states that she continued to wait for him but the petitioner did not turn-up. It is further submitted by learned counsel for the petitioner that petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the contents of the statement of the daughter of the informant under section 164 of the Cr.P.C., the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Begusarai Muffasil P.S. Case no. 73 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial
Magistrate, Begusarai subject to the condition as laid down
under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

sushma/-

U		T	
---	--	---	--

