

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16974 of 2020

Arising Out of PS. Case No.-58 Year-2019 Thana- RIVILGANJ District- Saran

AARIF KHAN Son of Mahmood Khan Resident of Village - Manjhi Thana
Bazar, P.S.- Manjhi, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anis Akhtar

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 06-11-2020 The present case was heard at length on 05.11.2020
and today, it has been listed under the heading 'For Orders'.

The petitioner apprehends his arrest in connection with Rivilganj P.S. Case No. 58 of 2019 for the offence registered under Sections 363, 365, 366/34 of the Indian Penal Code.

The case of the prosecution in brief, according to the informant, is that the marriage of his son namely Sona Khan was solemnized with one Gulshan Khatoon in the year 2015 and the said Gulshan Khatoon used to stay at her house, however, one person namely Aarif Khan, belonging to the in-laws place of the daughter-in-law of the informant used to come regularly to the house of the informant. It is further alleged that on 07.02.2019, the grand daughter of the informant had been operated, hence the son of the informant had gone to Chapra to



see her and had stayed back in the night at Chapra. In the morning, it transpired that the aforesaid Gulshan Khatoon is not at home and gold/silver ornaments worth Rs. 2,00,000/- are missing. Thereafter, search was made, however, the said Gulshan Khatoon could not be traced, whereupon, the informant had sent her son to the parental home of the said Gulshan Khatoon but she was also not present there. Upon enquiry, it transpired that the petitioner is also missing from his house.

It is the allegation of the informant that the petitioner with the help of co-accused Raju Khan, has allured the daughter-in-law of the informant with the intention of either marrying her or selling her.

The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that the petitioner has got no connection with the alleged occurrence.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having considered the submissions made by the learned counsel for the parties as also having perused the materials on record, this Court finds that there is minuscule evidence as against the petitioner herein, hence I deem it fit and



proper to admit the petitioner herein to the privilege of anticipatory bail, however, subject to certain conditions so that proper investigation of the case can be done.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Saran at Chapra in connection with Rivilganj P.S. Case No. 58 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

It is needless to state that the petitioner would mark his attendance before the Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week and in the event of his failure to do so on two consecutive occasion, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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