

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74303 of 2019**

Arising Out of PS. Case No.-238 Year-2015 Thana- MANJHAGARH District- Gopalganj

Arman Ali, Male, aged about 22 years, Son of Habibullah, Resident of
Village-Pathara, P.S-Manjhagarh, District-Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Jitendra Kumar Singh, Advocate.
For the Opposite Party : Mr.Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offences registered under Sections 363 and 366(A) of the
I.P.C.

The prosecution case, in brief, is that on 21.10.2015,
the daughter of the informant, namely, Azmeri Khatoon, had
gone to learn tailoring but she did not return till the evening.
Thereafter, the informant and his family members began
searching her and during course thereof, they came to know that
his villager Md. Murtuza Hafiz has kidnapped his daughter in
which the petitioner has also his hand.



This is second attempt on behalf of the petitioner for grant of anticipatory bail.

Earlier, anticipatory bail application of the petitioner was rejected vide Cr. Misc. No. 68372 of 2018 under order dated 17.01.2019 vide Annexure-1 to the present application taking into account that the victim had named the petitioner in her statement recorded under Section 164 Cr. P.C.

It is submitted on behalf of the petitioner that there was love affair between the victim and co-accused Md. Murtuza Hafiz and they have already performed marriage and they are residing together. Considering the said fact, similarly situated other co-accused Sonu @ Tauquir Alam has been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 1979 of 2019 under order dated 02.04.2019.

Considering the aforesaid facts and circumstances, the anticipatory bail application of the petitioner is again rejected in connection with Manjhagarh P.S. Case No. 238 of 2015, pending in the court of learned Chief Judicial Magistrate, Gopalganj.

If the petitioner surrenders and prays for regular bail in the learned court below the same shall be considered by the learned court below taking into account that other similarly



situated co-accused Sonu @ Tauquir Alam has already been granted anticipatory bail by another Co-ordinate Bench of this Court.

(Sudhir Singh, J)

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