

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76831 of 2019

Arising Out of PS. Case No.-199 Year-2019 Thana- DHAMDAHA District- Purnia

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1. Md. Muzaffar, Son of Late Md. Hasim
 2. Md. Serun, Son of Late Md. Hasim
 3. Md. Mofil, Son of Late Md. Hasim
 4. Md. Sakil, Son of Late Md. Hasim
 5. Asroon Khatoon @ Asma Khatoon @ Asroon, W/o Late Md. Hasim
 6. Md. Amir, Son of Late Hasim
- All are resident of Village - Dhokwa, P.S.- Dhamdaha, Distt.- Purnea.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Amit Kumar Anand, Advocate
For the Opposite Party : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 22-06-2020 Heard learned counsel for the petitioners and

learned counsel for the State via video conferencing.

By way of the present application, the petitioners have sought for pre-arrest bail in connection with Dhamaha P.S. Case No.199 of 2019 registered for the offences punishable under Sections 447, 341, 323, 365 and 504 read with 34 of the Indian Penal Code.

It is contended by the learned counsel for the petitioners that the husband of the informant namely, Md. Ali gave a statement under Section 164 of the Cr.P.C. before the learned Judicial Magistrate-1st Class, Purnea in which he has



stated that it was Asgun Nisha, who came to his house and took him towards the bamboo orchard where three others were also present, who took him to some other place and on the pressure of police, one Bimal Bhagat and his son rescued him. He contended that the victim has not stated in her statement about the hand of the petitioners in his abduction. He has further contended that the name of the petitioners has been given in the first information report only because of some previous enmity existing between the parties. He has further contended that there is unreasonable and unexplained delay of three days caused in instituting the first information report.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Considering the submissions made above, specially the delay of three days caused in instituting the first information report, the petitioners, who are reported to be of clean antecedent, are directed to be released on bail in the event of arrest or surrender in the court below on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Dhamdaha P.S. Case No.199 of 2019 subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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