

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86253 of 2019

Arising Out of PS. Case No.-439 Year-2019 Thana- ARA NAGAR District- Bhojpur

1. Karim Sai @ Karim Sah Son of Nayeem Sai @ Nayeem Sah
 2. Md. Firoz Sai @ Firoj Sai @ Bhnu Son of Nayeem Sai @ Nayeem Sah
Both resident of Hanuman Tola, P.S.- Ara Town, Dist- Bhojpur.
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Ara Town P.S. Case No. 439 of 2019 (G.R. No. 4072 of 2019) registered for offences under sections 366(A)/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that as there was a love affairs between the daughter of the Informant, namely, Madhu Kumari and the petitioner no.1, Karim Sai, they entered into marriage on 28.8.2019 and, for that, an affidavit has been sworn by both of them. He further submits that they have also entered into an agreement on 31.8.2019 regarding their marriage.

From the records, it appears that the girl has not attained the majority at the time of marriage and she still is minor on



account of the fact that in the Adhar Card, her age has been shown as 1.1.2003. In that view of the matter, the prayer for anticipatory bail of the petitioner no.1, namely, Karim Sai @ Karim Sah is rejected.

However, Firoz Sai, who is the brother of Karim Sai, has nothing to do with the alleged incident.

Looking to the entire facts and circumstances of the case, let the petitioner no.2, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released 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, Bhojpur, Ara in connection with Ara Town P.S. Case No. 439 of 2019 (G.R. No. 4072 of 2019), subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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