

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19986 of 2021

Arising Out of PS. Case No.-272 Year-2020 Thana- SISWAN District- Siwan

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1. SUFERA BEGAM W/o Akram Khan Resident of Village - Saraiya, P.s.- M.H. Nagar, Distt.- Siwan.
 2. Akram Khan Son of Israil Khan Resident of Village - Saraiya, P.s.- M.H. Nagar, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-12-2021 It is submitted by learned counsel for the petitioners that during pendency of this application, petitioner no. 2 has died, as such, he seeks permission to withdraw this application against petitioner no. 2.

In view of the aforesaid submission, this application is dismissed withdrawn against petitioner no. 2.

Now learned counsel for the petitioner is pressing this application for petitioner no. 1.

This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned APP for the State.



Learned counsel for the petitioner no. 1 is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Siswan (M.H. Nagar) P.S. Case no. 272 of 2020 instituted for the offence under Sections 363, 366A and 34 of the Indian Penal Code.

The prosecution matter relates to abduction of minor daughter, aged about 16 years of the informant.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner no. 1 is mother-in-law of the informant. Victim girl is grand-daughter of the petitioner. She has got no criminal antecedent. She is a very old lady. The alleged victim girl has returned her home safely by herself. In fact, his husband (petitioner no. 2, now the deceased) had purchased a chunk of land and with intention to grab the same, his sister-in-law has lodged a false case based on fabricated and concocted story.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in



the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner no. 1 on bail. The petitioner no. 1, namely, Sufera Begum is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Siswan (M.H. Nager) P.S. Case no. 272 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Siwan subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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