

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.25449 of 2020

Arising Out of PS. Case No.-64 Year-2018 Thana- SURSAND District- Sitamarhi

MD. TANBIR @ MD. TANVEER, Son of Md. Jaid, Resident of Village-
Chandpatti, P.S.- Sursand, District- Sitamarhi (Bihar) ... Petitioner
Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Shankar Kumar, Adv.
For the Opposite Party : Mr. A.M.P. Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 12-01-2021 As prayed for, let the learned counsel for the
petitioner remove the defect(s), as point out by the office vide
it's note, dated 25.11.2020, within four weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Sursand P.S. Case No. 64 of 2018, registered under Sections 363
and 366A/34 of the Indian Penal Code.

The accusation is that minor daughter of the
informant, Udiya Devi, who is student of Class IX, was enticed
away boarding on tempo by Md. Tanveer (petitioner), Md. Zaid,
wife of Md. Zaid and Skeikh Qayum. When informant made
protest at that time, then, informant was abused, assaulted and
threatening was also given by Md. Tanveer (petitioner) of dire
consequences.

Submission is that the daughter of the informant has
performed marriage with the petitioner and is living with the
petitioner, but, with ulterior motive, informant has lodged the
present case. Further, submission is that in the statement,



recorded under Section 164 of the Criminal Procedure Code, as detailed in paragraph 15 of the case diary, the daughter of the informant has denied about her kidnapping or enticing away at the hands of the petitioner and others.

Learned Additional Public Prosecutor while opposing the prayer for bail has fairly submitted that the daughter in her statement, recorded under Section 164 of the Criminal Procedure Code, as detailed in paragraph 15 of the case diary, stated that she was not kidnapped by the petitioner.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Sursand P.S. Case No. 64 of 2018 shall be released 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 the Subdivisional Judicial Magistrate, Pupri at Sitamarhi, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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