

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3666 of 2021

Arising Out of PS. Case No.-112 Year-2020 Thana- TATARPUR District- Bhagalpur

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1. Md. Maruf, aged about 45 years, male, S/o Late Hanif Khan.
 2. Bibi Arju Begum, aged about 41 years, female, W/o Md. Maruf.
- Both are R/o Jama Bux Lane, Bhikhanpur, P.S. - Ishakchak, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vagisha Pragya Vacaknavi, Adv.

For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 17-09-2021 Heard Ms. Vagisha Pragya Vacaknavi, the learned Advocate for the petitioners and Md. Mushtaque Alam, the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Tatarpur P.S. Case No. 112 of 2020, dated 12.08.2020, instituted for the offences under Sections 363, 366(A) and 34 of the Indian Penal Code.



The accusation in the F.I.R. is that the son of the petitioners eloped with the daughter of the informant. Later, they were apprehended but according to the accusation, the son of the petitioners fled away.

Ms. Vacaknavi, the learned Advocate for the petitioners has submitted that their son and the informant's daughter were studying in the same class and without the consent of their respective parents, they had ran away for solemnizing marriage. However, that could not happen and the girl was brought back. The son of the petitioners presented himself before the Juvenile Justice Board and was later released.

So far as the act of abetment by the petitioners is concerned, it has been submitted that there is no material on record to substantiate the same.

The learned counsel for the petitioner has also brought on record the statement of the victim girl recorded under Section 164 Cr.P.C., in which she does not state anything about the petitioners.

In view of the aforesaid background facts, the



petitioner Nos. 1 and 2, namely, Md. Maruf and Bibi Arju Begum, who are husband and wife amongst themselves, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Bhagalpur in connection with Tatarpur P.S. Case No. 112 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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