

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41062 of 2020

Arising Out of PS. Case No.-225 Year-2020 Thana- PANCHRUKHI District- Siwan

1. AFTAB ALI @ AFTAB ALAM S/o Late Rafiq Mian Resident of Village- Ukhai Purabpatti, P.S.- Sarai O.P., Distt- Siwan.
2. MUMTAZ MIAN @ MUMTAZ AHMAD S/o Late Rafiq Main Resident of Village- Ukhai Purabpatti, P.S.- Sarai O.P., Distt- Siwan.
3. NAJIA KHATOON @ NAJRA KHATOON W/o Mumtaz Mian @ Mumtaz Ahmad Resident of Village- Ukhai Purabpatti, P.S.- Sarai O.P., Distt- Siwan.

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Ajay Kumar Pandey, Advocate.
For the State	:	Ms. Shaheen Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 03-08-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 26/27.12.2020, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State, through Video Conferencing.

The petitioners apprehend their arrest in connection with Pachrukhi (Sarai O.P.) P.S. Case No.225 of 2020 registered under Sections 363 and 366(A) of the Indian Penal Code.

The accusation is of kidnapping the victim, aged



about 15 years, the daughter of the informant, by her villagers Mohammad Laden and the petitioners for the purpose of performing her marriage with Mohammad Laden.

Learned counsel for the petitioners submits that the petitioner no.2 is father, petitioner no.3 is mother and the petitioner no.1 is family member of the co-accused Mohammad Laden and they have falsely been implicated in this case. Further submission is that the victim, the daughter of the informant, in her statement, as recorded under Section 164 of the Code of Criminal Procedure on 19.09.2020, has clearly stated about her relation with the co-accused Mohammad Laden, who on giving assurance to perform the marriage, sexually abused and kidnapped her and kept her at Siwan. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-VI, Siwan, in connection with Pachrukhi (Sarai O.P.) P.S. Case No.225 of 2020, subject to the conditions laid down



under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

