

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.341 of 2021

Arising Out of PS. Case No.-501 Year-2019 Thana- BIDUPUR District- Vaishali

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1. AISA KHATOON, W/o Ahmad Ali Resident of Village- Rajasan, P.s.- Bidupur, Distt.- Vaishali.
 2. Ahmad Ali Son of Abdul Sattar Resident of Village- Rajasan, P.s.- Bidupur, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 02-09-2021 Heard Mr. Vasant Vikash, learned advocate for

the petitioners and Tarun Prasad Mandal, learned APP

for the State.

The petitioners seek bail in anticipation of their

arrest in connection with Bidupur P. S. Case No. 501 of

2019, dated 05.12.2019, instituted for the offences

under Sections 363 and 366(A) of the Indian Penal



Code.

The accusation in the F.I.R. is that the 15 years old daughter of the informant was abducted by one Raja and when the matter was brought to the notice of the petitioners (the parents of aforesaid Raja), they instead of helping the informant, only threatened him of dire consequences if the informant ever again came to their house.

During the course of investigation, the victim girl was recovered and she has given her statement under Section 164 Cr.P.C. In the aforesaid statement, which has been brought on record by way of supplementary affidavit, she has narrated an absolutely different story. She has submitted that she was attempted to be abducted by four persons, but Raja intervened and could any how save her.

This statement reflected a totally different set of facts.

Be that as it may, the learned advocate for the



petitioners has submitted that assuming but not admitting the fact that the victim girl has some association with the son of the petitioners, the petitioners cannot be blamed for the same. No role appears to have been played by the petitioners in either the abduction of the victim or her recovery.

Considering the aforesaid aspects of the matter and taking into account the fact the victim has not attributed any role to the petitioners, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Bidupur P. S. Case No. 501 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C.



The application stands allowed.

(Ashutosh Kumar, J)

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