

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10068 of 2021

Arising Out of PS. Case No.-22 Year-2020 Thana- DHANKUND District- Banka

Md Chand @ Md Hasib, Male, age about 22 years, S/O Mohd Makbul @ Makko, resident of Village Babura, P. S. Dhankund, Dist-Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vibhakar Kumar, Advocate
For the Opposite Party : Mrs. Gulnar Begaum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in connection with Dhankund P.S. Case No. 22/2020 for the offence registered under Section 366(A) of the I.P.C. .

The prosecution story, in brief, is that the daughter of the informant, namely, Amina Khatoon, aged about 15 years, was called through Mobile Phone to Bhagalpur for visiting but she was kidnapped by the petitioner and others. It is further alleged that on 22.02.2020, Amina Khatoon returned after her matriculation examination from Banka and on 24.02.2020, the



petitioner and others kidnapped her to get marry with her. The sister of Md. Chand (petitioner) is married at village Babura with Md. Razul. Razul has made criminal conspiracy and kidnapped her. Amitna Khatoon has taken away cash of Rs. 10,000/-, golden ornaments of five *Bhar* and some valuable with her.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The victim has been recovered and her statement under Section 164 Cr. P.C. has been recorded where she has stated that she had left the house out of her own will.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the



satisfaction of the learned C.J.M., Banka, in connection with
Dhankund P.S. Case No. 22/2020, subject to the conditions as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

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