

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6094 of 2020

Arising Out of PS. Case No.-66 Year-2019 Thana- NIMCHAKBATHANI District- Gaya

1. SAYAD KHAN Son of Late Md. Samsu Khan Resident of Village - Simraur, P.S.- Nimchak Bathani, Distt - Gaya.
2. Raoshan Khatoon @ Raushan Khatoon Wife of Islam Mian Resident of Village - Simraur, P.S.- Nimchak Bathani, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 16-05-2022 Heard learned counsel for the petitioner and learned APP
for the State.

By order dated 02.03.2020, the petitioners were granted
provisional anticipatory bail by a Co-ordinate Bench of this Court.

Supplementary affidavit enclosing the affidavit sworn by
the victim has been filed on behalf of the petitioners. Same be kept
on the record.

Following statements have been made in the affidavit
sworn by the victim :-

“3. That I have solemnized marriage in accordance
with Muslim rites with Mr. Shahrukh Khan S/o
Islam Mian aged 25 years (hereinafter called
husband) with my sweet will and wish and without
any pressure etc.

4. That I am of sound mind not suffering from



mental disorder and is competent of procreation of children.

5. That I am presently residing in Hyderabad happily with my husband.

6. That my parents wrongly lodged a criminal case against my husband and his family members.

7. That presently running out of state with my husband because of fear of parents and police.”

Considering the statements made in the affidavit sworn by the victim, it appears that no offence under Section 366A of I.P.C. is attracted in the present case. The allegations levelled in the F.I.R. are denied by the victim herself in her affidavit.

Considering the aforesaid facts and circumstances of the case, the provisional anticipatory bail granted to the petitioners by order dated 02.03.2020 is, hereby, confirmed in connection with Nimchak Bathani P.S. case No.66 of 2019 pending in the court of Additional Chief Judicial Magistrate-X, Gaya.

(Sudhir Singh, J)

Narendra/-

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