

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12612 of 2022

Arising Out of PS. Case No.-708 Year-2021 Thana- BANKA District- Banka

ENAMUL @ MD. ENAM @ MD. ENAMUL ANSARI Son of Md. Taiyab
Ali Resident of Village - Bidaydih, P.S. - Banka, District - Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks.

The petitioner is apprehending his arrest in Banka P.S.
Case No. 708 of 2021 registered under Section 366(A)/34 of
the Indian Penal Code.

Allegation against the petitioner is of alluring and
kidnapping the minor daughter of the informant with intention
to marry her.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of 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 of the Cr.P.C. has been recorded. In her statement recorded under Section-164 of the Cr.P.C., the victim stated that she left house out of her own sweet will. The victim has not supported the allegation made in the FIR.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 708 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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