

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12025 of 2022

Arising Out of PS. Case No.-89 Year-2021 Thana- INDUSTRIAL District- Bhagalpur

1. MD. ASIF S/o Md. Haroom @ Md. Haroon Rasid R/o village- Kalai Chowk, P.S.- Sabour, District- Bhagalpur
2. Md. Faraz Alam S/o Md. Badri Alam R/o village- Kalai Chowk, P.S.- Sabour, District- Bhagalpur
3. Md. Raju @ Md. Aain S/o Md. Nasim R/o village- Kalai Chowk, P.S.- Sabour, District- Bhagalpur
4. Md. Ali @ Md. Ali Mansuri S/o Sameed @ Sameed Mansuri R/o Village- Mansuri Tola Fatehpur, P.S.- Sabour, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 366(A) and 34 of the Indian Penal Code.

The informant alleges that his minor daughter was kidnapped by the accused persons, including the petitioners, for the purpose of marriage.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are related to



Samir, learned counsel further submits that the victim has returned and her statement was recorded under Section 164 of Cr.P.C. (Annexure '2' to the anticipatory bail application) and from perusal of the same it would manifest that she was known to Samir and thus she had accompanied him to Kolkata, she has further stated that on the same day she had taken return ticket to Bhagalpur also and thus came back to Bhagalpur. Learned counsel submits that from the tenor of her statement under Section 164 Cr.P.C. it appears that she was known to Samir and had accompanied him willingly but under parental pressure she was made to depose that she was kidnapped, learned counsel next submits that it has become rampant that when a girl and a boy elope on account of love, the entire family members of the boy gets implicated, further from perusal of the allegations as alleged in the F.I.R. it would manifest that the allegations are cryptic and vague with respect to the petitioners and there is a delay of two days in instituting the F.I.R.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Industrial Area P.S. Case No. 89 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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