

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26359 of 2021

Arising Out of PS. Case No.-456 Year-2020 Thana- CIVIL LINE District- Gaya

1. MD TALIM ANSARI @ TALIM Son of Kamal Sheikh @ Md. Kamal @ Kamal Resident of Mohalla - New Karimganj Near Kiren Memorial School, Road No. 1, Police Station - Civil Line, District - Gaya.
2. Kamal Sheikh @ Md. Kamal @ Kamal Son of Late Najo Sheikh Resident of Mohalla - New Karimganj Near Kiren Memorial School, Road No. 1, Police Station - Civil Line, District - Gaya.
3. Khodaija Khatoon Wife of Kamal Sheikh @ Md. Kamal @ Kamal Resident of Mohalla - New Karimganj Near Kiren Memorial School, Road No. 1, Police Station - Civil Line, District - Gaya.
4. Tahir Sheikh @ Md. Tahir Son of Kamal Sheikh @ Md. Kamal @ Kamal Resident of Mohalla - New Karimganj Near Kiren Memorial School, Road No. 1, Police Station - Civil Line, District - Gaya.
5. Rukshana Khatoon @ Rukshar Perween Daughter of Kamal Sheikh @ Md. Kamal @ Kamal Resident of Mohalla - New Karimganj Near Kiren Memorial School, Road No. 1, Police Station - Civil Line, District - Gaya.
6. Chhotu @ Md. Shakir Son of Kamal Sheikh @ Md. Kamal @ Kamal Resident of Mohalla - New Karimganj Near Kiren Memorial School, Road No. 1, Police Station - Civil Line, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ujjawal Kumar Singh

For the Opposite Party/s : Mr. AAP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-01-2022 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.



The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Civil Line P.S. Case no. 456 of 2020 instituted for the offence under Sections 366(A)/34 of the Indian Penal Code.

As per allegation in the FIR, several accused persons including the petitioners had kidnapped the minor daughter of the informant, aged about 17 years.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. Statement of the victim girl was got recorded under Section 164 Cr.P.C., wherein she has clearly stated that she had gone to Kolkata out of her own sweet will because her parent's behavior was not cordial with her and she has not taken the name of the petitioners in her statement.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Civil Line P.S. Case no. 456 of



2020, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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