

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18024 of 2022

Arising Out of PS. Case No.-287 Year-2021 Thana- MUNGER MUFFASIL District- Munger

MD. MINAZ @ MD. MINHAZ son of Jahid Resident of Village - Parbatta,
Police Station - Parbatta, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 366, 379, 376 and 34 of the Indian Penal Code.

The informant alleges that on 01.11.2021 at about 8:00 p.m. his daughter said that she was going to shop to buy household articles but after some time when she did not return, a search was conducted but the daughter could not be found till 7.11.2021, it is further alleged that informant suspected that miscreants had enticed his daughter with an intention of marriage.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that the



victim has returned and she is aged about 25 years as would be evident from her statement recorded under Section 164 Cr.P.C. Learned counsel further submits that from tenor of her statement under Section 164 Cr.P.C., it appears that she was in love with her brother-in-law, Abdul Rahman and she had willingly accompanied him and thereafter she felt cheated as in her statement she stated that she established physical relation but the marriage did not materialize, it is also stated that thereafter several family members of Abdul Rahman also took her to Moradabad and from Moradabad she came to Lucknow with Abdul Rahman where she established physical relation. Learned counsel next submits that from her statement recorded under Section 164 Cr.P.C., it manifests that she on her own volition had left with her brother-in-law, i.e., husband of her sister along with jewellery and cash and when the relationship soured, then this present case came to be instituted against the family members of Abdul Rahman though it is also submitted that from her statement it also appears that informant accompanied Abdul Rahman and her family members to several places by train but she never raised any alarm that in itself shows falsity of the allegation as alleged against the petitioner.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Muffasil P.S. Case No. 287 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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