

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28547 of 2022

Arising Out of PS. Case No.-405 Year-2021 Thana- JOKIHAT District- Araria

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JAMSHED ALAM SON OF ABDUL RASHID @ RASHID RESIDENT OF
VILLAGE- AJHWA, WARD NO.-10, P.S.- JOKIHAT, DISTRICT- ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-11-2022 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 366 and 34 of the Indian Penal Code.

The informant alleges that the accused persons including the petitioner forcefully abducted her major daughter with an intent to marry when his daughter was married from before and her husband stays in Saudi Arabia and has six children out of the wedlock.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that petitioner and the daughter of the informant were known to each other as



such the informant had accompanied the petitioner with a view to roam around when the present false case came to be instituted, it is next submitted that the victim under parental pressure supported the prosecution case under Section 164 CrPC wherein she has stated that petitioner made her flee from her home along with her two children and took her to Ludhiana and took all her jewellery, thereafter, somehow came back home. Learned counsel further submits that from bare perusal of the allegation as alleged in her statement under Section 164 of CrPC, it would manifest that in a way she has supported the petitioner as she does not allege any sexual assault nor discloses as to what ornaments were kept by him.

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 Court below 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 court below where the case is pending/successor court in connection with Jokihat P.S.



Case No. 405 of 2021 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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