

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36852 of 2022

Arising Out of PS. Case No.-36 Year-2022 Thana- KUTUMBA District- Aurangabad

MD. YUSUF SON OF LATE MD. NAYIM @ MOIN ANSARI RESIDENT
OF VILLAGE- HETANEPUR (SIRIS), P.S.- BARUN, DISTRICT-
AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhanu Pratap Singh
For the Opposite Party/s : Mr. Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-09-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 363, 365, 366 of IPC.

Allegedly, the petitioner kidnapped the daughter of the informant with an intention to get married with her.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in



the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He further submits that the victim girl is a major aged about 21 years, this fact is also supported by the medical report. The parents of the victim were not ready to marry her daughter to the petitioner, therefore, she willingly left her house and performed Nikah and used to live as husband and wife. When the daughter of the informant came to know that her father has lodged a case against the petitioner, she appeared before the police and produced the document of her marriage and age. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Kutumba
P.S. Case No.36 of 2022, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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