

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42003 of 2022

Arising Out of PS. Case No.-103 Year-2022 Thana- FALKA District- Katihar

1. MD. HALIM S/o Md. Safique R/o Village- Sabda, P.S.- Falka, District- Katihar
2. Banina Khatoon @ Navina Khatoon W/o Md. Halim R/o Village- Sabda, P.S.- Falka, District- Katihar
3. Md. Amin S/o Md. Safique R/o Village- Sabda, P.S.- Falka, District- Katihar
4. Md. Aslam S/o Md. Safique R/o Village- Sabda, P.S.- Falka, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-12-2022 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 363 and 366(A) of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on 16.03.2022 in the morning, his minor daughter aged about 16 years was found missing, accordingly a search was made and he came to know that co-accused Md. Arman had enticed away his daughter with an intention of marrying and



when he inquired from petitioner nos. 1, 2 and 3, they abused him and further told him that Arman has married his daughter and they will not let him meet her.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that the date of occurrence is 16.03.2022 and the FIR came to be instituted on 24.03.2022 i.e., after a delay of nearly eight days without any plausible explanation, it is also submitted that petitioner nos. 1 and 4 are cousin grandfather of Arman, petitioner no. 2 is cousin grandmother of Arma and petitioner no.3 is grandfather of Arman. Learned counsel further submits that the victim has returned and her statement was recorded under Section 164 of the Cr.P.C. wherein she has not even remotely suggested about participation of present petitioners in the occurrence.

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 Falka (Pothia) P.S. Case No. 103 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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