

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43635 of 2022

Arising Out of PS. Case No.-61 Year-2021 Thana- KUNAU LI District- Supaul

1. HAJI IBRAHIM@MD IBRAHIM@IBRAHIM MAIN Son of Nunu Mian Resident of Village - Kamalpur, P.s.- Kunauli, Distt.- Supaul.
2. Md. Parvej Son of Jibril Resident of Village - Kamalpur, P.s.- Kunauli, Distt.- Supaul.
3. Md. Aashik Son of Md. Afjal Resident of Village - Kamalpur, P.s.- Kunauli, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-12-2022 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, 366, 120B and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that Md. Zubair enticed his sister and took her away with a view to marry her.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case being relative of Md. Zubair, it is further submitted that police after investigation submitted Final Form No. 62 of 2021 but the learned



trial court differing with the police report took cognizance of the offence against the petitioners, it is further submitted that once an investigating agency after carrying a threadbare investigation had found the petitioners to be innocent as no material transpired during the course of investigation connecting them with the offence then whether based on same investigation on which cognizance is taken would it not amount to travesty of justice by sending the petitioner to jail.

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 Kunauli P.S. Case No. 61 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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