

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5135 of 2023

Arising Out of PS. Case No.-331 Year-2022 Thana- HASPURA District- Aurangabad

Shahnawaz Ansari @ Motu Son of Sharief Ansari R/V- Muslimabad, PS-
Haspura Dist- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabina Parveen @ Shabina Khatoon Daughter of Azhar Shah R/V-
Muslimabad, P.S- Haspura Dist- Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Ataul Haque, Adv.

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-03-2023 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Haspura P.S. Case No. 331 of 2022 lodged under Sections 366,
34 of the I.P.C.

As per the prosecution case, the allegation of
kidnapping is there in the F.I.R. against the petitioner made by
the father of the victim.

Learned counsel for the petitioner submits that It is
not a case of kidnapping rather it is a matter in which both the

alleged victim and the petitioner entered into marriage against the consent of the families. Counsel submits that antecedent of the petitioner is clean and he is in custody since 14.11.2022. Counsel further submits that vide Annexure-3, it is crystal clear that both entered into marriage.

Counsel further submits that from the rejection order passed by Special Court, statement of petitioner under Section 164 is recorded in which she has stated that with her free will, she entered into marriage with the petitioner.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daud Nagar, Aurangabad in connection with Haspura P.S. Case No. 331 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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