

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14447 of 2023

Arising Out of PS. Case No.-60 Year-2022 Thana- FORBESGANJ District- Araria

MD. RAHIL S/o Md. Jamil R/o Village- Sonapur, Ward no. 9, P.S.- Bathnaha,
Distt- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Forbesganj P.S. Case No. 60/2022 registered for the offences punishable under Sections 346/34 of the Indian Penal Code. Later on converted into Sections 365, 302, 201/34 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that his daughter was married with Md. Raja according to Muslim custom and she was blessed with two children, she was subjected to torture by the members of her in-laws. The informant further alleged that when he went to meet his daughter, his daughter was not present there and on query he knew that petitioner with other accused persons has disappeared



his daughter.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that petitioner is named accused but he is a distant relative of the husband of the deceased and he has no concern with the affairs of the petitioner's family.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is submitted that this petitioner is a distant relative of the husband of the deceased, the husband is already in judicial custody since 27.03.2022, this petitioner has no criminal antecedent and his attendance will be procured in course of trial, this Court, therefore, directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 60/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify



the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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