

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14695 of 2023

Arising Out of PS. Case No.-174 Year-2022 Thana- DEHRI TOWN District- Rohtas

1. Arju Khan @ Arju Kha aged about 24 years, male, S/O Supan Khan Resident of village- Guljarbag, Ward No.- 27, P.S.- Bikramganj, District- Rohtas at Sasaram/
2. Supan Khan @ Supan Kha, aged about 55 years, male, S/O Late Gulam Rasul Khan Resident of village- Guljarbag, Ward No.- 27, P.S.- Bikramganj, District- Rohtas at Sasaram/

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioners and learned
APP for the State of Bihar.

The petitioners are apprehending their arrest in connection with Dehri Town Police Station Case No. 174 of 2022 under Sections 363, 366A and 34 of the Indian Penal Code.

As per written report submitted by the informant, her daughter has disappeared while she was accompanying the informant for some shopping at the Dehri Station Bazar. It is the informant's case that since prior to her daughter's disappearance, she was engaging in telephonic conversation with one *Bitu Khan*. Informant has thus lodged the FIR alleging



that *Bitu Khan* has allured her daughter, who is only 16 years old, and he has been helped by the petitioners who are brother and father of *Bitu Khan*.

Learned counsel for the petitioners submits that on her own volition, informant's daughter has gone with *Bittu Khan*, as is evident from statement of the victim which was recorded under Sections 161 and 164 of the Cr.P.C. wherein no allegation whatsoever has been levelled against the instant petitioners. It is also stated that the informant's daughter is in fact a major and to make the offence grave, the informant has stated about her being a minor. The victim post recovery was medically examined and has also been found to be carrying a baby in her womb. The submission is of false implication due to extraneous consideration. The petitioners are also stated to be having no antecedents.

Learned APP for the State opposed the prayer for bail.

Considering the nature of allegations primarily levelled against *Bittu Khan*, as also clean antecedent of the petitioners, this Court inclined to allow petitioners' prayer for grant of anticipatory bail.

Petitioners' prayer for anticipatory bail is allowed.

Accordingly, let the petitioners, above named, in the



event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Dehri, Rohtas in connection with Dehri Town Police Station Case No. 174 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

Shashank/
gaurav.s-

U		T	
---	--	---	--

