

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25079 of 2022

Arising Out of PS. Case No.-481 Year-2018 Thana- BARAUNI District- Begusarai

Md. Moqem, Son of Md Ahmad, Resident of Village- Baro Slemipur Tola,
P.S- Barauni, Dist- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 42465 of 2022

Arising Out of PS. Case No.-481 Year-2018 Thana- BARAUNI District- Begusarai

1. Shahida Khatoon, W/o Shamim Alam Resident of Village - Baro Salimpur Tola, P.s.- Barauni, Distt.- Begusarai.
2. Tabassurn Khatoon, D/o Shamim Alam, Resident of Village - Baro Salimpur Tola, P.s.- Barauni, Distt.- Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 25079 of 2022)

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 42465 of 2022)

For the Petitioner/s : Mr. Kumar Praveen, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 15-05-2023 Heard learned counsel for the petitioners and learned
APP for the State in both the applications.

Petitioners in the present cases are seeking pre-arrest
bail in connection with Barauni P.S. Case No. 481 of 2018
registered for the offences punishable under Section 366 of the
Indian Penal Code. The petitioner in Cr. Misc. No. 25079 of
2022 has got two criminal antecedents. However, the petitioners



in Cr. Misc. No. 42465 of 2022 have got no criminal antecedent.

As per the prosecution story, the daughter of the informant used to talk with one Shahnawaz Alam @ Sonu secretly on mobile phone. On 03.10.2018 at about 01:00 P.M., Shahnawaz Alam in collusion with other FIR named accused persons abducted the daughter of the informant for the purpose of marriage. On 06.10.2018, when the informant failed to trace his daughter, he filed written application before the police as a result of which the present case was instituted against four named accused persons.

Learned counsel for the petitioners submits that the petitioners are quite innocent and have been falsely implicated in this case.

Learned APP for the State in both the applications are present and have opposed the prayer for anticipatory bail of the petitioners. It is their submission that the victim girl has yet not been recovered.

Having regard to the facts and circumstances of the case, wherein the victim girl has yet not been recovered and these petitioners are seeking privilege of pre-arrest bail after a period of four years from the date of lodging of the FIR, in the nature of the allegations and non-recovery of the victim-girl,



this Court is not inclined to grant privilege of anticipatory bail
to the petitioners.

Both the writ applications are dismissed.

(Rajeev Ranjan Prasad, J)

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