

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30458 of 2023

Arising Out of PS. Case No.-373 Year-2022 Thana- MANJHI District- Saran

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1. NADIM AHMAD KHAN @ NADEEM AHMAD KHAN Son of Taukir Khan Resident of village - Gurdaha Khurd, P.S. - Manjhi, Distt. - Saran
 2. TAUKIR KHAN SON OF LATE HASARATTULLA KHAN Resident of village - Gurdaha Khurd, P.S. - Manjhi, Distt. - Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Harish Kumar
For the Opposite Party/s	:	Mr. Mritunjay Kumar Nirala
For the Informant	:	Mr. Nawnit Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 05-12-2023 Heard learned counsel for the petitioners and learned A.P.P.

for the State assisted by learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 363 & 366A of the Indian Penal Code.

3. The petitioners in association of other co-accused are said to have kidnapped the daughter of the informant.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that from bare perusal



of the F.I.R. it is clear that the entire case is moving around the F.I.R. named accused Md. Asif. There is inordinate and abnormal delay of four days in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay. It is further submitted that as a matter of fact, informant's daughter eloped with Md. Asif due to love affair between them but due to ulterior motive the petitioners have been made scapegoat in this case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the informant vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case and on bare perusal of the case diary, I find that there is no specific allegation against the petitioners. From perusal of para-62 of the case diary, it further transpires that victim is not minor. In such view of the matter, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Manjhi P.S. Case



No.373 of 2022, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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