

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25426 of 2023

Arising Out of PS. Case No.-474 Year-2022 Thana- GHORASAHAN District- East
Champaran

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1. ISHA MOHAMMAD, SON OF LAL MOHAMMAD Resident of village -
Jitna, P.S - Jitna, Distt. - East Champaran
 2. TOHARA KHATOON, WIFE OF ISHA MOHAMMAD Resident of village
- Jitna, P.S - Jitna, Distt. - East Champaran
 3. FIDA MOHAMMAD, SON OF LAL MOHAMMAD Resident of village -
Jitna, P.S - Jitna, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha
For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-08-2023 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 363, 365/34 of the Indian Penal Code pending in the learned court below.

3. Prosecution case in short is that the informant in a written report to S.HO. alleged that he had married his daughter Afrida Khatoon with the petitioner and since the date of marriage, she was living at her sasural. It has been further alleged that 7/8 days prior to lodging of this F.I.R., his daughter



has got been disappeared by her Sautan and Devar. It is further alleged that his son-in-law has performed his two marriages. The name of first wife is Adrida Khatton and 2nd is Tohara Khatoon. After performing the 2nd marriage the petitioner disliked his 1st wife and also used to harass her. He is trying to best her search out of his daughter but could not find

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that the petitioners have clean antecedent, as stated at para 3 of the bail petition. He submits that there is no specific overt act against the petitioners. There is general and omnibus allegation against the petitioner and the specific allegation is against co-accused, namely, Gulti Khatoon.

5. Learned APP for the State opposes for prayer for bail.

6. Considering the aforesaid facts and circumstances, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is



pending/Successor court, in connection with Ghorasahan (Jitna)
P.S. Case No. 474 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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