

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37652 of 2022

Arising Out of PS. Case No.-37 Year-2021 Thana- SURSAND District- Sitamarhi

1. MAHBOOB REHMAN Son of Jubaid Rehman @ Humaid Rehman Resident of Village-Chandpatti, Ward No.-13, P.S.-Sursand, District-Sitamarhi (Bihar).
2. Jubaid Rehman @ Humaid Rehman Son of Late Gaffar Rehman Resident of Village-Chandpatti, Ward No.-13, P.S.-Sursand, District-Sitamarhi (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar
For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners undertakes to
remove the defects within four weeks.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 372, 363,
366(a), 120(B) and 34 of the Indian Penal Code pending in the
learned court below.

Allegation against the petitioners is that they along
with others co-accused persons kidnapped the daughter of the
informant for selling her or for illicit purpose.

Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. He further submits that after investigation police has filed final form against the petitioners but the learned Court below differed the final form and taken cognizance against the petitioners. He submits that the statement of the victim was recorded u/S 164 Cr.P.C in which she was not supported the prosecution case. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

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 bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each 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 Sursand P.S. Case No.37/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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