

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46959 of 2023

Arising Out of PS. Case No.-365 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Md. Yusuf Qadri @ Md. Yusuf Kadir Son Of Late Wali Mohamad R/O-Suratpur, P.S.-Samastipur Muffasil, Distt.-Samastipur
 2. Ashmati Khatoon Wife Of Gulam Mustafa R/O-Suratpur, P.S.-Samastipur Muffasil, Distt.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Ms.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-08-2023 Heard learned counsels for the petitioners and the
State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 363, 366A/34 of the Indian Penal Code.

3. As per the prosecution case, it is alleged that minor daughter of the informant was kidnapped by the petitioners and other co-accused persons on 03.09.2021 for the purpose of marriage and they also sold her. Informant suspects that it might be a case of *love Jihad*. When the informant went to the house of accused persons to inquire about his daughter, the accused persons assaulted him with iron rod and *lathi*.

4. It is submitted that petitioners have been falsely



implicated in this case. The victim girl in her statement under Section 164 Cr.P.C has not supported the prosecution case and has not alleged any wrong against these petitioners. The police after investigation submitted final form vide FF NO. 513/21 dated, 29.09.2021 against these petitioners. Similarly situated co-accused have been granted bail by a coordinate bench of this Court vide order dated 11.02.2022 passed in Cr. Misc. No. 68312 of 2021. Petitioner claims clean antecedents.

5. Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 Additional Chief Judicial Magistrate 2nd, Samastipur in connection with Muffasil P.S. Case No. 365 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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