

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50371 of 2023

Arising Out of PS. Case No.-342 Year-2019 Thana- KATEYA District- Gopalganj

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1. KALAM ANSARI @ KALMUDDIN ANSARI S/O SULEMAN MIYAN @
SULEMAN ANSARI R/O VILLAGE- BANAKTA, PS. KATEYA, DIST.
GOPALGANJ
2. SULEMAN ANSARI @ SULEMAN MIYAN S/O KITAB MIYAN R/O
VILLAGE- BANAKTA, PS. KATEYA, DIST. GOPALGANJ
- Petitioner/s
- Versus
- THE STATE OF BIHAR
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Adesh Raj
For the Opposite Party/s : Mr.J.N. Thakur

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioners as well as
the learned APP for the State.

The petitioners apprehend their arrest in connection
with Kateya P.S. Case No. 342 of 2019, registered for the offences
punishable under Section 376 of the Indian Penal Code.

As per allegation, petitioner no. 1 made illicit physical
relation with the daughter of the informant on the pretext of
marriage. On 12.05.2019, petitioner no. 1 came to the house of the
informant and gave a mobile to the daughter of the informant,
whereafter, her daughter was traceless. A *panchayti* was convened.
Petitioner no. 1 and his family members assured the informant to
perform marriage on 15.07.2019, but they didn't stand to their
words.

The learned counsel for the petitioners has submitted
that they are innocent and have falsely been implicated in this



case. The complaint petition has been filed after six months of the occurrence. There is no explanation of the delay. He has submitted further that as a matter of fact, the petitioner no. 1 had solemnized marriage with the daughter of the complainant, but she was not happy with that marriage and she had solemnized the marriage of her daughter to somewhere else. He has also submitted that petitioner no. 2 has falsely been implicated merely because he is father of petitioner no. 1.

Considering the above-mentioned facts and circumstances as well as the fact that the complaint petition has been filed after six months and there is no explanation of delay, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released 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 learned Chief Judicial Magistrate, Gopalganj in connection with Kateya P.S. Case No. 342 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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