

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51577 of 2023

Arising Out of PS. Case No.-113 Year-2022 Thana- CHHAURADANO District- East
Champaran

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1. Nahid Akhtar Son of Wakil Ahmad Resident of village - Khariwa, P.s. - Chhauradano, Distt. - East Champaran
 2. Sahid Akhtar Son of Wakil Ahmad Resident of village - Khariwa, P.s. - Chhauradano, Distt. - East Champaran
 3. Wakil Ahmad Son of Late Sk. Hussain Resident of village - Khariwa, P.s. - Chhauradano, Distt. - East Champaran

... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Parties

Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Chhauradano P.S. Case No. 113 of 2022 registered for the offences punishable under Sections 366(A)/34 of the Indian Penal Code. They have no criminal antecedent.

3. As per the prosecution story, on 10.04.2022 at about 07:00 P.M. the informant's daughter had went to purchase sugar near her house, in the meantime, the FIR named accused persons along with 2-3 unknown persons kidnapped her. When the informant along with other persons went to the door of the



accused persons to return her daughter, they said that the matter would be resolved by the panchayat but nothing was being done in this regard.

4. Learned counsel for the petitioners submits that the petitioner nos. 1 and 2 are the brothers of the main accused Nadim Akhtar and petitioner no. 3 is the father of said Nadim Akhtar against whom there is specific allegation of kidnapping.

5. Learned counsel submits that the daughter of the informant has married with the said Nadim Akhtar and now the parties have entered into a compromise (Annexure '2' to the present application).

6. Learned APP for the State has opposed the prayer for bail of the petitioners.

7. Having regard to the submission that the petitioner nos. 1 and 2 are the brothers of the main accused Nadim Akhtar who has allegedly taken away the daughter of the informant with an intention to marry, the petitioner no. 3 is the father of said Nadim Akhtar and the submission being that Nadim Akhtar and daughter of the informant have married and now the parties have entered into a compromise which is Annexure '2' to the present application, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the



petitioners shall be released on bail in connection with Chhauradano P.S. Case No. 113 of 2022 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 1st Additional Sessions Judge, East Champaran at Motihari subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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