

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52675 of 2022

Arising Out of PS. Case No.-412 Year-2019 Thana- SITAMARHI District- Sitamarhi

1. MD ARSHAD RAIN @ ARSHAD Son of Md. Rejabul @ Rejaullah R/V-
Murliya Chak, P.S and Dist- Sitamarhi
2. Md. Arman @ Md. Arman Ali Son of Md. Rejabul @ Rejaullah R/V-
Murliya Chak, P.S and Dist- Sitamarhi

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Adv.

For the Opposite Party/s : Mr.Pranav Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-01-2023 Heard learned counsel for the petitioners and learned A.P.P.
for the State.

Learned counsel for the petitioners undertakes to remove the defect (s), as pointed out by the office, within a period of four weeks.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 363, 372/34 of the Indian Penal Code.

Allegedly, petitioners are said to have kidnapped the informant's daughter after consuming her intoxicant substance.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. They have been falsely implicated in this case due to ulterior motive. The allegation against the petitioners is absolutely false, absurd and



baseless. It is further submitted that the statement of victim has been recorded u/s 164 Cr.P.C. in which she has not supported the prosecution story and stated that she herself left the house on her sweet will for performing marriage with petitioner no.1. She refused to her medical examination as such her medical examination has not been held. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail by submitting that the victim girl is minor.

Having regard to the facts and circumstances of the case, since the victim girl has not supported the prosecution story, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 Court below where the case is pending/successor Court in connection with Sitamarhi (Mehsaul O.P.) P.S. Case No. 412 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

