

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64929 of 2022

Arising Out of PS. Case No.-78 Year-2022 Thana- SHYAMPUR BHATHA District- Sheohar

SADDAM MANSOORI @ SADDAM HUSSAIN Son of Dil Mohammad
Mansoori @ Dil Mohammad R/o- Nayagaon, P.S.- Shyampur Bhataha,
District- Sheohar

... .. Petitioner/s

Versus

1. The State of Bihar
2. NAIMA KHATOON Wife of Mohammad Izhaar R/o- Nayagaon, P.S.-
Shyampur Bhataha, District- Sheohar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arya Achint, Advocate Dr. Arunlata Sharma, Advocate
For the Opposite Party/s	:	Mr.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-04-2023 Heard Mr. Arya Achint and Dr. Arunlata Sharma,

learned counsels for the petitioner representing their Senior
Counsel and learned APP for the State.

The petitioner apprehends his arrest in connection
with Shyampur Bhataha P.S. Case No. 78 of 2022 for the
offence registered under sections 363, 366-A and 34 of the
Indian Penal Code lodged on 18.04.2022 by the informant,
Naima Khatoon.

As per the prosecution story, the informant alleged
that her minor daughter went to attend the nature's call but
became traceless. Later, she came to know that the petitioner
and another co-accused kidnapped her daughter. Accordingly,



the FIR.

Learned counsels for the petitioner submit that the victim girl made statement under section 164 of the Cr.P.C. in which it was stated that she was married to the petitioner herein and want to stay with him, the age has also been incorporated in the deposition as 19 years showing her to be major.

A perusal of Annexure 3 series which is the Medical Report shows that the woman was pregnant at the time of examination on 26.04.2022.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail but concedes that in this background, nothing remains.

Considering the aforesaid factors in account as also the deposition of the lady under section 164 of the Cr.P.C. as also that she claimed to be of 19 years of age and the Medical Report showing her pregnancy coupled with the fact that the petitioner do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of the learned A.C.J.M.-I,
Sheohar in connection with Shyampur Bhataha P.S. Case No. 78
of 2022 subject to condition as laid down under Section 438(2)
of the Cr.P.C.

(Rajiv Roy, J)

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