

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71820 of 2023**

Arising Out of PS. Case No.-250 Year-2022 Thana- KISHANPUR District- Supaul

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MOZIBUR RAHMAN @ MOJIBUR RAHMAN S/o Mohammad Yunus @
Md. Yonus R/o village- Madhura (Ward No.-4), P.S.- Kishanpur, District-
Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha, Advocate

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

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

ORAL ORDER

2 07-11-2023 Heard the learned counsel for the petitioners as well
as the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection
with Kishanpur P.S. Case No. 250 of 2022 registered for the
offences punishable under Sections-366 & 380 of the Indian
Penal Code.

Allegedly, while the informant had gone to Biratnagar,
Nepal for treatment of his sister, the accused-petitioner allured
and kidnapped his wife for the purpose of marriage.

Learned counsel for the petitioner has submitted that
the informant/complainant is own brother of the petitioner. In
the year, 2014, the complaint petition was filed on the basis
whereof, the present FIR was registered after eight years. The



complainant made allegation of kidnapping of his wife against the petitioner. Learned counsel for the petitioner has further submitted that as a matter of fact, after taking divorce from her husband, the alleged victim has solemnized marriage with the other person and she is residing in Nepal with her husband. The FIR has been lodged after eight years of the occurrence and the victim after solemnization of her second marriage, is residing in Nepal.

Learned Additional Public Prosecutor opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, the petitioners above-named, in the event of their arrest or surrender, within four weeks from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Kishanpur P.S. Case No. 250 of 2022, subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

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