

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69303 of 2022

Arising Out of PS. Case No.-375 Year-2021 Thana- BHELDI District- Saran

1. MUNNA MIYA S/O SUBHAN MIYA Resident of village- Sobhepur, P.S.- Bheldi, District- Saran.
2. RUBIYA KHATUN @ RUBI BIBI W/O MUNNA MIYA Resident of village- Sobhepur, P.S.- Bheldi, District- Saran.
3. SALMA KHATUN @ SALMI BIBI W/O SUBHAN MIYA Resident of village- Sobhepur, P.S.- Bheldi, District- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anis Akhtar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-01-2023 Heard learned counsel for the petitioners and learned A.P.P.
for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 363, 366(A) of the Indian Penal Code.

Allegedly, petitioners are said to have kidnapped the informant's minor sister with intention to indulge her in immoral activities.

It is submitted by learned counsel for the petitioners that petitioner nos. 1, 2 & 3 are father, mother and grand mother of co-accused Nazir Hussain, respectively. 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. It is further submitted that the statement of victim girl has



been recorded u/s 164 Cr.P.C. in which she stated that out of her own sweet will, she went with co-accused Nazir Hussain and voluntarily married with him. The petitioners have been dragged in this case merely because of being family members of co-accused Nazir Hussain. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific act against the petitioners, 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 Bheldi P.S. Case No. 375 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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