

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73223 of 2023

Arising Out of PS. Case No.-319 Year-2021 Thana- BALIYA District- Begusarai

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1. Sahana Khatoon @ Sahana Son Of Md. Kadir @ Md. Kadir Resident Of Village- Kathari, Ps- Dandari, Dist- Begusarai
 2. Md. Zabir @ Md. Jabir Ansari Son Of Late Md. Kadir @ Md. Kadir Resident Of Village- Kathari, Ps- Dandari, Dist- Begusarai
 3. Md. Nasim @ Md. Naseem Alam @ Md. Nashim Son Of Md. Masood @ Md. Mashood Resident Of Village- Kathari, Ps- Dandari, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party/s	:	Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Ballia P.S. Case No. 319 of 2021 dated 29.09.2021 registered for the offences punishable u/ss 363, 366A read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have kidnapped the minor daughter of the informant with bad intention.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The specific allegation of kidnapping is against the co-accused, Md. Sabir @ Salman. It is further submitted that the petitioner no. 1 is



the mother, the petitioner no. 2 is the brother and the petitioner no. 3 is the co-villager of the co-accused Md. Sabir @ Salman. As per impugned order, the victim in her statement recorded under section 164 of Cr.P.C. has not supported the prosecution case. It is further submitted that the victim was not forced to have illicit relationship with another person. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Begusarai in connection with Ballia P.S. Case No. 319 of 2021, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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