

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7760 of 2024

Arising Out of PS. Case No.-290 Year-2023 Thana- KALYANPUR District- Samastipur

1. Md. Suleman Son of Md. Motiurrahman R/o vill - Ratwara, P.S. - Kalyanpur, Distt. - Samastipur
2. Farhad Sultana @ Juhi Praveen @ Farhat Sultana W/o Md. Suleman R/o vill - Ratwara, P.S. - Kalyanpur, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate
For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-02-2024 Heard the parties.

2. The petitioners are apprehending arrest in connection with Kalyanpur P.S. Case No. 290 of 2023 instituted under Sections 365, 366A of the Indian Penal Code lodged on 1.10.2023 by the informant, Yasmin Praveen.

3. As per the prosecution story, allegation is that Md. Sahil entered the house of the informant and took away the victim. Upon protest, they were also assaulted. Later, they went to house of Md. Sahil where it is alleged that these petitioners who are parents, abused them. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that the main allegation is against Md. Sahil of taking away the



informant's daughter. The petitioners are parents and aged persons, have no role to play in the matter and only to implicate them, the allegation of abuse has been incorporated.

5. Learned APP opposes the prayer for anticipatory bail.

6. Taking into account the submissions put forward by the parties as also that they are parents and the allegation of taking away the informant's daughter is against Md. Sahil, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Kalyanpur P.S. Case No. 290 of 2023 to the satisfaction of learned Judicial Magistrate-1st Class, Samastipur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;



(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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