

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16104 of 2024

Arising Out of PS. Case No.-507 Year-2023 Thana- PURNEA SADAR District- Purnia

1. Md Gulzar @ Gulzar SON OF LATE MD. AKHTAR village -Manjheli Pitangia PS -Sadar District -Purnea
2. BIBI SAKHIYA KHATOON @ SAKINA BEGUM WIFE OF LATE MD. AKHTAR village -Manjheli Pitangia PS -Sadar District -Purnea

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 28-03-2024 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 Sadar (Muffasil) P.S. Case No. 507 of 2023 dated 04.06.2023 registered for the offences punishable u/ss 363 and 366A 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 and the two other minor girls for the purpose of marriage.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that the petitioners have no concern with the alleged offence. The petitioners have made accused in this case merely on suspicion. Learned counsel has



further submitted that there is nothing on record to show that the victims were forced to have illicit intercourse with other persons. No offence under Section 366A is made out against the petitioners. The petitioner no. 2 is a lady. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioners and submitted that the victims are minor.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, 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 the learned court concerned, Purnea in connection with Sadar (Muffasil) P.S. Case No. 507 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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