

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28152 of 2024

Arising Out of PS. Case No.-69 Year-2022 Thana- SIKTI District- Araria

1. Sah Noor Hasan @ Noor Hasan @ Futua Son of Yasin @ Sah Yasin, Resident of Village- Salgudi, P.S.- Sikty, Distt.- Araria
2. Md. Jamshed Alam @ Jamshed Son of Yasin @ Sah Yasin, Resident of Village- Salgudi, P.S.- Sikty, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tarun Shekhar, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-08-2024 Heard Mr. Tarun Shekhar, learned counsel appearing on behalf of the petitioners and Mr. Kalyan Shankar, learned APP appearing on behalf of the State.

2. The petitioners seek pre-arrest bail in connection with Sikti P.S. Case No. 69 of 2022 registered for the offence punishable under Sections 147, 149, 341, 323, 379, 363, 365, 504 and 506 of the Indian Penal Code.

3. Learned counsel appearing on behalf of the petitioners submitted that the victim has been recovered and two contradictory statement has been given by her first on 26.07.2022, in which no specific allegation has been made against the petitioners, subsequently, statement which was recorded on 29.05.2023, she has denied the allegation made in the FIR and has stated that she on her own had eloped with her



husband. On these grounds, petitioners seek to be released on pre-arrest bail.

4. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

5. Considering the fact that victim has not made any allegation against the petitioners in her statement recorded under Section 164 of the Code of Criminal Procedure, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Sikti P.S. Case No. 69 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

6. The District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

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