

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37123 of 2024

Arising Out of PS. Case No.-405 Year-2023 Thana- DAGARUA District- Purnia

1. MD. KALEEM @ KALEEM @ MD. KALIM @ KALIM SON OF KHUR MOHAMMAD RESIDENT OF VILLAGE - KANHARIYA, P.S. - DAGARUA, DISTRICT - PURNEA
2. ANISA @ ANSHO WIFE OF MD. KALEEM RESIDENT OF VILLAGE - KANHARIYA, P.S. - DAGARUA, DISTRICT - PURNEA
3. BIBI NAZBIN @ NAZBIN @ BIBI NAJBIN WIFE OF MD. MOHSIN @ MASUM @ MUSA RESIDENT OF VILLAGE - KANHARIYA, P.S. - DAGARUA, DISTRICT - PURNEA
4. JUNEBA ALAM @ JOHEB @ MD. JUHEB ALAM SON OF MD. KALEEM RESIDENT OF VILLAGE - KANHARIYA, P.S. - DAGARUA, DISTRICT - PURNEA
5. KUSMI KHATUN @ MOHRAMI WIFE OF MD. KALEEM RESIDENT OF VILLAGE - KANHARIYA, P.S. - DAGARUA, DISTRICT - PURNEA
6. TAJMUL @ TAJAMUL @ TAJJAMUL SON OF HANIF RESIDENT OF VILLAGE - KANHARIYA, P.S. - DAGARUA, DISTRICT - PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Adv.
For the Opposite Party/s : Mr.Umeshanand Pandit, APP.
Mr. Sumit Kumar Bhagat, Adv.
Mr. Rajeev Kumar Ambastha, Adv.
Mr. Sadanand Prasad Deo, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioners, learned A.P.P.
for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 363, 366A, 34 of the Indian Penal Code.

3. Allegedly, all the accused persons including the



petitioners are said to have kidnapped the daughter of the informant and when the informant and others went to the house of co-accused Wasim @ Sonu for enquiry, they were threatened of dire consequences.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and they have committed no offence. No such occurrence as alleged has ever taken place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is specific allegation against co-accused Wasim @ Sonu. The names of the petitioners have been transpired in the present case merely because they are parents and relatives of co-accused Wasim @ Sonu. They have no role in kidnapping of the daughter of the informant. It is further submitted that the victim appeared before the learned Court below and submitted that she was in love with co-accused Wasim @ Sonu and wanted to marry him, but her parents against her will fixed her marriage with one Md. Saddam and as she did not want to marry to Md. Saddam, she herself left her house on her own will and married co-accused Wasim @ Sonu as per Muslim rituals. Petitioners have no criminal antecedent as mentioned in



para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt 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 lower Court where the case is pending/successor Court in connection with Dagarua P.S. Case No. 405 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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