

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85109 of 2023

Arising Out of PS. Case No.-253 Year-2023 Thana- KASBA District- Purnia

1. Rubi Khatoon W/O Mahboob Ansari Resident Of Village-Muradabagh Balu Tola,Ps Kasba, District-Purnea.
2. Md. Vajir @ Vajir Ansari S/O Late Nathuni Resident Of Village-Muradabagh Balu Tola,Ps Kasba, District-Purnea.
3. Maqusood @ Maqusood Asari @ Md. Maqsood Ansari S/O Md. Vajir @ Vajir Ansari Resident Of Village-Muradabagh Balu Tola,Ps Kasba, District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in Kasba P.S.
Case No. 253 of 2023 registered for the offences punishable
under Section 363, 366(A)/34 of the Indian Penal Code pending
in the Court of learned C.J.M., Purnea.

3. As per the prosecution case, it is alleged that the
petitioner no. 1 being the neighbour of the victim, took the
victim to her house after luring her, drove her away with her
brother-in-law, Md. Masood on a motorcycle. It is also alleged
that even before this incident, petitioners no. 2 and 3 being the



father and brother of Md. Masood, came to the house of the informant with proposal for marriage of his son with informant's daughter and on refusal they committed this offence.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that statement of the victim was recorded under Section 164 of the Cr.P.C., in which she has not taken the name of petitioners no. 2 and 3. The petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the victim is minor, aged about 12 years.

6. Considering the facts and circumstances of case and the fact that the victim is minor, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

7. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the



same day in accordance with law without being prejudiced by
this order.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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