

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75581 of 2024

Arising Out of PS. Case No.-216 Year-2023 Thana- PUPRI District- Sitamarhi

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Azmuddin @ Md. Azmuddin Mansoori Son of Md. Ahamad Resident of
Village - Jhajhihat, P.S. - Pupri, District - Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalita Devi Wife of Sohan Paswan Resident of Village - Bhahma @ Mahima
Rusulpur, P.S. - Pupri, District - Sitamarhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv
For the Opposite Party/s : Mr.Binay Krishna, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 25-06-2025 Heard learned counsel for the petitioner learned and
learned APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under sections 341, 323, 354, 379,
363, 366(A)/34 of the Indian Penal Code and section 3(i) (r) (s)
(w), 2(Va) of SC/ST (POA) Act and section 8 of POCSO Act.

3. Despite issuance of notice, no one appears on behalf
of OP.No. 2.

4. The allegation in the FIR is that as many as 12 persons
including the petitioner had kidnapped the daughter and niece of
the informant with the purpose of solemnizing marriage.

5. Learned counsel for the petitioner submits that the



allegations levelled in the FIR are not correct and as a matter of fact, the victim girl had gone along with the petitioner voluntarily at her own will. It is further submitted that the present case is of love affair between the petitioner and the victim girl and both the victim girls had gone voluntarily along with the petitioner and co-accused. Upon recovery, the statements of the victim girls have been recorded under section 164 Cr.P.c which is available along with case diary. A perusal of the same would show that one of the victim had herself called co-accused Imtiyaz and had left along with him to Delhi where they got married and resided with each other. So far as, the petitioner is concerned, the niece of the informant has also given statement under section 164 of the Cr.P.C that she got married to the petitioner which is an inter-religion marriage and her in-laws have no problem with regard to the same. It appears from the case diary that medical examination report of the girls is not available. However, it is submitted by the learned counsel for the petitioner that at least one of the victim girls is above the age of 18 years and the other is also on the verge of majority.

6. The learned APP for the State opposes the prayer for bail.

7. Taking into consideration that the matter relates to a



love affair and the petitioner has no criminal antecedent, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today, the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand)with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Pupri P.S. Case No. 216 of 2023, subject to condition as laid down under section 438(2) of the Cr.PC .

(Soni Shrivastava, J)

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