

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.85508 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- KHIRHAR District- Madhubani

- 1. Md. Shakil Son of Md. Sabir Village -Khirhar PS -Khirhar Distt -Madhubani
- 2. Hasibun Khatoon Wife of Md. Shakil Village -Khirhar PS -Khirhar Distt -Madhubani
- 3. Gulab Sah Praveen @ Gulnaz Praveen son of Md. Shakil Village -Khirhar PS -Khirhar Distt -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Jha
For the State : Mr.Jharkhandi Upadhyay
For the informant : Mr. Shailendra Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 208-01-2025
- 1. Heard learned Counsel for the petitioners, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
 - 2. This application, for grant of anticipatory bail, arises out of Khirhar Police Station Case No. 77 of 2024, dated 15.08.2024, disclosing offences punishable under Sections 137(2)/96/3(5) of the Indian Penal Code.
 - 3. The prosecution case, as per the First Information Report, is that on 25.07.2024, the informant’s minor daughter, aged about 15 years was forcibly kidnapped by co-



accused Md. Farhan, along with his friends. When the informant went to make a complaint before the petitioners about the occurrence, they assured him to return his daughter within one or two days, but she did not return. On 11.08.2024, when the informant went and requested the petitioners to return his daughter, the petitioners abused and assaulted him and snatched Rs. 1700/- from his pocket and outraged the modesty of informant's wife.

4. Learned Counsel for the petitioners submits that the petitioners have been made accused merely because they happen to be the father, mother and sister of co-accused Md. Farhan, who has allegedly kidnapped the minor daughter of the informant. The petitioners have no role in the kidnapping of the victim girl.
5. On the other hand, learned Counsel for the informant opposes the prayer for anticipatory bail and submits that the son of petitioner no. 1, co-accused Md. Farhan, and the petitioners are not producing the victim girl despite assurance given to the informant by them.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the specific allegation of kidnapping is against co-accused



Md. Farhan and the petitioners are his family members, I am inclined to grant the petitioners privilege of anticipatory bail.

- 7. This application is, accordingly, allowed.
- 8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Benipatti, in connection with Khirhar Police Station Case No. 77 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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