

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44636 of 2014

Arising Out of PS.Case No. -61 Year- 2014 Thana -BATHNAHA District- SITAMARHI

1. Md. Ibrul @ Md. Ibnul Hasan son of Late Ali Hasan
2. Md. Islam son of Late Ali Hasan Both resident of village - Bhawanipur,
P.S. Bathnaha, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.14683 of 2015

Arising Out of PS.Case No. -61 Year- 2014 Thana -BATHNAHA District- SITAMARHI

1. Md. Ishtekhar Son of Md. Sagir resident of village - Bhawanipur, P.S.
Bathnaha, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.44636 of 2014)

For the Petitioner/s : Mr. Md. Anisur Rahman

For the Opposite Party/s : Mr. Rajendra Singh Shastri Jee (App)

(In Cr.Misc. No.14683 of 2015)

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Arun Kr. Panday (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 04-08-2015 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 363A/34 of the Indian Penal Code.

It is alleged that the petitioners took the son of the

informant to Mumbai for providing employment and from there the son of the informant went traceless.

It is submitted by learned counsel for the petitioners that the victim Md. Amirul was facing prosecution with accusation under Sections 376, 354, 323, 341, 307, 511, 380, 457 and 504/34 of the IPC in Bettiah P.S. Case No. 144 of 2014 arising out of Complaint Case No. 275 of 2014 hence his mother filed the present case with malicious accusation by concealing him to escape the rigorous of the accusation under Section 376 of the IPC. Moreover, statement has been made in para 3 of each petition that the petitioners have no criminal antecedent.

After going through the case diary, learned counsel for the State submits that the family members of the informant have supported this fact that the victim went in the company of these petitioners and he is still traceless.

Considering the fact that Complaint Case No. 275 of 2014 was filed on 12.02.2014 whereas the present case was registered on 15.02.2014 and during investigation it transpired that son of the informant has been concealed for escaping rigorous of the case lodged against him, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from

today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi in connection with Bathnaha P.S. Case No. 61 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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