

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20421 of 2015

Arising Out of PS.Case No. -490 Year- 2012 Thana -LAHERIASARAI District- DARBHANGA

1. Md. Shams Tabrez @ Md. Jugnu
2. Md. Naz Ahmad,
Both sons of Md. Reza, R/o Mohalla- Madarpur Ekmi, P.S.-
Bahadurpur, District- Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner : Mr. Satish Kumar Sinha, Advocate

For the State : Mr. Uday Chandra Prasad (APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 30-10-2015 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Laheriasarai P.S. Case No.490 of 2012 for allegedly having committed the offences under Sections 147, 365, 386 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

Case diary in the present case was earlier called for, which has since been received.

Learned Senior Counsel appearing on behalf of the petitioners submits that the entire case filed against these petitioners is the product of vendetta being nurtured by Md.



Usman and his friend-Mukhiya of the Village. It is further submitted that the story of kidnapping has been carved out only to take wreak vengeance as son of Munni Begam had been killed and these persons had been figured as witnesses in the said case. Learned counsel further submits that one Bhola Khan, who was the other son of Munni Begum, was murdered some time back and pressure was being mounted on her to file case against these witnesses, but these petitioners were roped in as they had refused to be the witnesses in the said case.

Learned counsel for the State after perusing the case diary submits that the story of the informant that her son Jamal Khan was given Rs.10,000/- to withdraw the case against Usman and the Mukhiya has not been found to be in the case diary, but subsequently in the supervision note of the Dy.S.P. after lapse of about two years, the names of these petitioners have been brought in for some oblique reasons.

Considering the aforementioned facts and circumstances, the materials available in the case diary and the fact that these petitioners have no criminal antecedents, let both the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 the learned Chief Judicial Magistrate, Darbhanga, in connection with Laheriasarai P.S. Case No.490 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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