

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22424 of 2016

Arising Out of PS.Case No. -1869 Year- 2012 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

- =====
1. Md. Istekhar @ Attu
 2. Md. Tasawar@ Tasewar @ Md Tasobar Both sons of Md. Salim
 3. Liliya Begum @ Raheedi Begum Wife of Md. Istekhar @ Attu
 4. Bibi Rubiya @ Bibi Rubiya khatoon Wife of Md. Salim all resident of Village- Bijhara, Police station Balia Belone, District Katihar.

.... Petitioners

Versus

1. The State of Bihar.
2. Abeda Khatoon, Wife of Md. Khurshid Alam resident of Village- Bijhara, Police station Balia Belone, District- Katihar.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Najeeb Ahmad
For the Opposite Parties : Mr. Shakir Ahmad(APP)

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

2 24-05-2016 The petitioners apprehend their arrest in relation to

Complaint Case No. 1869 of 2012 registered under Sections 395,

307, 363A and 120B of the Indian Penal Code.

Learned counsel for the petitioners points out that though the complaint was filed in the aforesaid sections, cognizance has not been taken under sections 323, 363 and 379, out of which, only section 379 of the Indian Penal Code is non-bailable. He further points out that though the occurrence is of 30.06.2012 but the complaint has been filed on 03.07.2012 and no reason has been given for delay in filing the complaint.

Learned counsel for the petitioner submits that this case is nothing but a counterblast to the case that has already been filed and investigated by the police, as against the complainant and in which case, charge sheet has already been submitted against them, much prior to lodging of the complaint.

Be that as it may, in the event of their arrest/surrender before the court below within four weeks, let the petitioners above named be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Sri S.K. Sharma, Judicial Magistrate 1st Class, Katihar, in connection with Complaint Case No. 1869 of 2012, subject to conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Navaniti Prasad Singh, J.)

Rajiv/Amit

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