

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20179 of 2016

Arising Out of PS.Case No. -250 Year- 2015 Thana -BARHARIA District- SIWAN

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1. Akbar Ansari son of Late Aikuf Miyan
 2. Sahajad Ansari son of Jamurari Miyan
 3. Jagdish Singh son of Late Shiv Pujan Singh
 4. Manoj Sharma son of Achhelal Sharma
 5. Manjoor Alam son of Mahmad Raja
 6. Yashin Ansari son of Ali Raja
 7. Jumrati Ansari son of Mahmad Raja All R/o Village- Tinbhedia, P.S.- Barharia, District- Siwan.
 8. Firoj Ansari @ Firoj Alam son of Late Ibrahim Ansari R/o Village- Basopali, P.S.- Mufassil Siwan, Dist- Siwan.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rakesh Kumar Tiwary, Advocate
For the Opposite Party : Mr. Anil Kumar Singh -1, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-06-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with **Barharia P.S. Case No. 250 of 2015** pending in the Court of **CJM, Siwan** for the offences instituted under Sections 363, 365 and 364/34 of the Indian Penal Code.

As per the prosecution case, the main accusation against all these petitioners is of abducting the minor brother of the informant.

It has been submitted on behalf of the petitioners that the

petitioners have falsely been implicated in the present case due to land dispute. There is no substantive evidence to support the prosecution case. There is no eye witness to the alleged occurrence. Prior to the institution of the present case, a case was registered against the prosecution party by the petitioners' side.

On behalf of the State, it has been submitted that the petitioners are named in the FIR and the prosecution witnesses have supported the prosecution case which is evident from paras- 6, 8 and 13 of the case diary. The victim is still traceless.

Considering the aforesaid facts and circumstances of the case, I am not inclined to release the above named petitioners on anticipatory bail, the same is rejected.

Anyhow, if the petitioners surrender in the court below within a period of four weeks, the same shall be considered on its own merit without being prejudiced by this order and, if possible, the same may be disposed of on the same day.

(Sudhir Singh, J)

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