

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3725 of 2017

Arising Out of PS.Case No. -168 Year- 2016 Thana -BAUSI District- PURNIA

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1. Md. Majahir @ Mojahir, Son of Allauddin,
2. Md. Hasib, Son of Gyasuddin, Both are Residents of Village- Habdung,
Police Station - Baisi, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Advocate

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 08-03-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners, apprehending their arrest in connection with Baisi P.S. Case No. 168 of 2016 registered for the offences punishable under Sections 363 and 365/34 of the Indian Penal Code, seek the privilege of pre-arrest bail.

Allegedly, the petitioners and other First Information Report named accused persons came and started searching Md. Anwarul, the brother of the informant after causing threats, thereafter, they went at the house of Ramjani, the nephew of the informant, and from there they took away Anwarul in a tempo after causing threats and thereafter on search the informant came



to know that they performed Nikah with Nuzhat Bano and since then Anwarul is traceless and in spite of all the search made no trace is being located of Anwarul.

Submission is of false implication and that Nuzhat Bano has filed complaint case on 30.08.2016 itself, the occurrence of this case is alleged to be of 24.08.2016 but First Information Report has been lodged on 06.10.2016 after much delay and after lodging of complaint case by Nuzhat Bano and as such they deserve sympathetic consideration.

Learned APP submits that the brother of the informant is still traceless and, as such, the petitioners do not deserve pre-arrest bail.

In the facts and circumstances stated above, considering the allegation attributed against the petitioners, which find support during investigation in the statement of the witnesses, I am not inclined to grant the privilege of pre-arrest bail to the petitioners and accordingly their such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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