

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19381 of 2017

Arising Out of PS.Case No. -540 Year- 2004 Thana -COMPLAINT CASE District- KISANGANJ
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1. Tahsina, Wife of Khalil,
2. Noor Jabeen @ Nurjabi, Daughter of Khalil,
3. Mahajbeen @ Mahjabi Begum, Daughter of Khalil,
4. Amrika, Son of Khalil, All are resident of Village- Dubra, Police
Station- Kochadhaman, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Saharuddin, Son of Bechan Ali, Resident of Village- Dubara, P.S.-
Kochadhaman, District- Kishanganj.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap
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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

3 12-06-2017 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case
registered under Section 365 of the Indian Penal Code.

The petitioners are said to have kidnapped the brother of
the informant to perform the marriage with the daughter of
petitioner no.1.

Learned counsel for the petitioners submits that earlier
the complainant had filed a complaint case regarding the same
occurrence but the police, after investigation, submitted final form.
Thereafter, the complainant has filed protest petition and the
learned Chief Judicial Magistrate has taken cognizance for the



offence under Sections 364, 365/34 of the Indian Penal Code.

The allegation against the petitioners is omnibus. As a matter of fact, the victim was not kidnapped by the petitioners rather he is working in Delhi and complainant has filed this false and fabricated case against the petitioners to mount pressure upon them to withdraw the case filed by petitioner no.3 against the brother of the complainant.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest/surrender in 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 bond of Rs. 10,000/(ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Firoz Akram, learned Judicial Magistrate, 1st Class, Kishanganj in Complaint Case No. C 540 of 2004,subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Prakash Chandra Jaiswal, J)

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