

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48538 of 2017

Arising Out of PS.Case No. -2548 Year- 2015 Thana -COMPLAINT CASE District- ARRARIA

- =====
1. Md. Tabraj @ Md. Tarej @ Tabrej, S/o Late Sah Kadir,
 2. Bibi Husna, W/o Tabrej @ Md. Tabraj @ Md. Tarej,
 3. Bibi Ismat @ Ismat Khatoon, W/o Sah Naim,
 4. Md. Tasfique @ Tasfique, S/o Md. Sakur,
 5. Md. Bablu @ Bablu, S/o Md. Basar,
 6. Md. Shamim @ Sah Samim, S/o Late Kadir,
 7. Md. Dablu @ Dablu, S/o Md. Shamim,
- All resident of village- Dolbazza, Ward No.8, P.S.- Forbesganj,
District- Araria.
8. Md. Abu Bakar @ Abu Bakar, S/o Kuddus, resident of village- Chirah,
P.S.- Jokihat, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Sajo Begam, W/o Sah Naim, resident of Idgah Panjab Tola,
Dolbazza, Ward No.13, P.S.- Forbesganj, District- Araria.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate
For the State : Mr. Mithilesh Kumar Khare, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Complaint Case No.2548C of 2015 registered under Sections 365
and 120B of the Indian Penal Code.

It is contended by the learned counsel for the petitioners
that petitioner no.3 Bibi Ismat @ Ismat Khatoon, the alleged
victim being wife of Shah Islam had lodged a criminal case being



Forbesganj P.S. Case No.452 of 2015 against her husband Shah Islam, the complainant and others under Section 498A of the Indian Penal Code and with a view to save their own skin from the aforesaid Forbesganj P.S. Case No.452 of 2015 a false complaint case was filed by Bibi Sajo Begum, mother-in-law of petitioner no.3 Bibi Ismat @ Ismat Khatoon. It is further contended that from perusal of Annexure-3 to the present application, it would be manifest that the police arrested said Shah Islam on 29.08.2016 and forwarded him to judicial custody in connection with Forbesganj P.S. Case No.452 of 2015.

Learned counsel for the State submitted that the facts of both the cases can be looked into by the court below at appropriate stage during trial. He submitted that as the allegation against the petitioners is of abducting the son of the complainant, the petitioners do not deserve grant of pre-arrest bail.

Having heard the parties and perused the materials available on record, the petitioners named above are directed to 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 Ashish Ranjan, Judicial Magistrate, 1st Class, Araria in connection with Complaint Case No.2548C of 2015, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J)

Md.S./-

U		T	
---	--	---	--

