

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3680 of 2017

Arising Out of PS.Case No. -115 Year- 2016 Thana -AJAMNAGAR District- KATIHAR

- =====
1. Jashim Son of late Suleman
 2. Jasmina Khatoon @ Pinky Wife of Md. Sajjad, D/o Jasim Both
Resident of Village- Chota Sankola, P.S. Abadpur, District- Katihar.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Md. Musowir, Advocate

For the Opposite Party : Mr. Ram Naresh Ray (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 28-03-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection with Azamnagar P.S. Case No. 115 of 2016, registered for the offences punishable under Sections 365, 120(B) of the Indian Penal Code.

Allegedly, Md. Sajjad the son of the informant was returning from Pune regarding which he informed the informant but he did not return and his mobile was also switched of. It is alleged that the petitioner and co-accused Md. Taiyab got hands in making him traceless as Jashmina, the daughter-in-law of the informant used to live with co-accused Md. Taiyab at her maika and she has developed illicit relationship with co-accused Md. Taiyab.

Submission is of false implication and that Jasmina



Khatoon had lodged Complaint Case No. 2453 of 2016 under Section 498A of the Indian Penal code against her husband and other in-laws including the informant of this case, his father-in-law had pressurized her for withdrawal of that case hence this case has falsely been lodged. During investigation also no legal and tangible material has come and besides suspicion there is nothing against the petitioners. Co-accused Md. Taiyab has been allowed pre-arrest bail vide Cr. Misc. No. 3059 of 2017 by another co-ordinate bench of this Court and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail but fairly submits that Md. Taiyab has been allowed pre-arrest bail.

In the facts and circumstances as stated above, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 learned Judicial Magistrate 1st Class, Katihar, in connection with Azamnagar P.S. Case No. 115 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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