

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19841 of 2017

Arising Out of PS.Case No. -28 Year- 2016 Thana -KANGALI District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Alimullah Khan @ Suttu Khan, Son of Late Kifatullah Khan.
 2. Bulet Khan, Son of Badruddin Khan
 3. Asbab Khan @ Asba Khan @ Asabad Khan, Son of Late Tabarak Khan.
- All three are Resident of Village- Sabaithwa, P.S.- Kangli, District-
West Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party : Mr. Sanjay Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 30-05-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in
connection with Kangli P.S. Case No. 28 of 2016 for the offences
punishable under Sections 341, 342, 323, 387, 354(B) of the
Indian Penal Code

From perusal of F.I.R. it appears that demand of
rangdari was leveled against these petitioners.

From perusal of Annexure-2, as well as the
statement made by the petitioners in paragraph nos. 8 and 9 false
case was earlier lodged by the husband of the complainant,
Paragraph nos. 8 and 9 reads as follows:



“ 8. That prior to the instant case complaint case No. 938C/ 2015 was filed by the husband of the complainant under Section 354, 379 etc of I.P.C. and under Section 27 of Arms Act, which was dismissed under Section 203 Cr.P.C. vide order dated 03.12.2015 by learned J.M. Sri W.A. Khan, Bettiah, West Champaran.

True/photo/typed copy of the complaint case No. 938C/ 2015 and the order dated 03.12.2015 are annexed herewith and marked as Annexure-2 to this application.

9. That it is in the back ground of previous litigations this false case has been filed. Earlier said Alam Miya has filed a false case bearing Kangli P.S. Case No. 24/2009 for which he was and is being prosecuted under Section 182, 211 I.P.C. In another case bearing Kangli P.S. Case No. 39/15 filed by Alam Mian the police submitted final form whereas the police submitted charge sheet in Kangli P.S. Case No. 22/17 u/s 467, 460, 471, 420 etc. and in Kanli P.S. Case No. 38/15 both lodged against him by co-accused Saifullah Khan.”

In the backdrop of the facts and circumstances as mentioned 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 Sri R.R. Sahay, A.C.J.M., - VI, Bettiah, West Champaran, in connection with Kangli P.S. Case No. 28 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

Rajiv/-

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