

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34663 of 2018

Arising Out of PS.Case No. -46 Year- 2018 Thana -SIMRIBAZAR District- DARBHANGA

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1. MD. SHAMIM @ MD.SHAMI @ RAJA, Son of Md. Nazim resident of Village- Gothauli, P.S. Keoti, District- Darbhanga.
 2. Md. Dilshad, Son of Md. Motim Nadaf, resident of Village Angauna, P.S - Katra, District- Muzaffarpur.
 3. Md. Faisal, Son of Md Akbar Nadaf, resident of Village Seema, Adalpur, P.S.- Sadar (Bhalpatti O.P.), District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Shahnawaz Ali
For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 16-07-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are in custody since 16.04.2018 in connection with Simri P.S. Case No. 46 of 2018 for the offence registered under Sections 364 of the Indian Penal Code.

Learned counsel for the petitioners submits that the present case is a counter blast to the case which was filed by the petitioners for kidnapping his sister for the purpose of marriage. The said case was compromised before the Mukhiya but subsequently, only to wreck vengeance, the present case of kidnapping under Section 364 of the Indian Penal Case has been



lodged. He, thus, submits that the entire allegation is false and fabricated and the petitioners may be released on bail.

Learned counsel for the State, after perusal of the case diary, submits that the petitioners and their associates were caught red handed, on receiving secret information, after chasing by the police, the petitioners and his associates were taken into custody and thereafter, the informant was released from the clutches of the petitioners and their associates. It is under such circumstances, the petitioners are facing prosecution.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant regular bail to the petitioners. It is, accordingly, rejected.

(Anjana Mishra, J)

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