

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42498 of 2018

Arising Out of PS. Case No.-255 Year-2017 Thana- RAMGARHWA District- East
Champaran

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1. Md. Shakir Karim @ Shakir Karim Son of Izhar Hussain
 2. Md. Jabir Karim @ Jabir Karim
 3. Md. Amir Karim @ Amir Karim Both Sons of Md. Shakir Karim @ Shakir Karim
 4. Mahammad Taslim @ Taslim Ansari Ajad Son of Bhuteli All residents of Village - Baswariya Daroga Tola, P.S. Bettiah Town, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Wasim Ansari son of Khalil Ansari resident of village - Narirgir, P.S. Ramgarhwa, District East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar
For the Opposite Party/s : Mr. Sri Binod Kumar 3

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 19-07-2018 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Ramgarhwa P.S. Case no. 255 of 2017, registered under Sections 364, 364(A) and 120(b)/34 of the Indian Penal Code.

The accusation is that on 09.11.2017 Taj Ansari aged about 10 years, son of informant Wasim Ansari was returning from Ramgarhwa then in the way, petitioners and one Hassan Imam kidnapped Taj Ansari and carried him boarding



him on bolero vehicle. The occurrence was seen by the neighbours on raising alarm by his son.

Learned counsel for the petitioners submits that, in fact, the informant lodged the Compliant Case No. 349 of 2017 regarding the occurrence dated 09.11.2017 on which basis the present case is instituted. Further submission is that, in fact, the marriage of Hafsa Siddique, daughter of petitioner No.1 and sister of petitioner Nos. 2 and 3 is performed in the village of informant and matrimonial dispute is going on and only to harass the petitioners Shahzad Ansari, who is shown as witness No.3 in the complaint petition, which is the basis of the F.I.R, lodged Ramgarhwa P.S. Case No. 24 of 2017 on 19.02.2017 against petitioner Nos. 1, 2 and 3 along with one Saheb Ansari in which he has also admitted about attending the Panchayat regarding the dispute and he again got managed to file Compliant Case No. 349 of 2017 through informant Wasir Ansari, which is the basis of the present case, with false allegation after seven days of the occurrence. It is also submitted that after three months of the occurrence the victim returned to his house and on dictation, he also disclosed the name of petitioners in the statement recorded under Section 164 of Cr.P.C.



Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M. Raxaul at Motihari, East Champaran in connection with Ramgarhwa P.S. Case No. 255 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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