

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23275 of 2019

Arising Out of PS. Case No.-452 Year-2018 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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1. NOOR ALAM Son of Md. Alam Resident of Village - Pankha Toli, P.S.- Kari Mohammadpur, Distt- Muzaffarpur.
 2. Raja @ Tanjeer Alam Son of Mahmood Alam Resident of Village - Pankha Toli, P.S.- Kari Mohammadpur, Distt- Muzaffarpur.
 3. Mahtab @ Mahtab Alam Son of Mahmood Alam Resident of Village - Pankha Toli, P.S.- Kari Mohammadpur, Distt- Muzaffarpur.
 4. Chhotu @ Saif @ Saif Alam Son of Noor Alam Resident of Village - Pankha Toli, P.S.- Kari Mohammadpur, Distt- Muzaffarpur.
 5. Raushan Ara W/o Noor Alam Resident of Village - Pankha Toli, P.S.- Kari Mohammadpur, Distt- Muzaffarpur.
 6. Arsi @ Sahista Praveen W/o Zafar Hussain @ Tabrez Resident of Village - Pankha Toli, P.S.- Kari Mohammadpur, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surinder Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-08-2019 This application, for grant of anticipatory bail, arises out of Kazi Mohammadpur P.S. Case No. 452 of 2018, disclosing offences under Sections 341, 323, 366, 379, 504 and 34 of the Indian Penal Code.

Prosecution case is that petitioners have assaulted the brother of informant and when she went to save him, she was also assaulted by the accused persons and, thereafter, they took away the brother of informant, who is still traceless.



Submission of learned counsel for the petitioners is that the entire allegation is false and concocted and petitioner no. 6 is the wife of brother of informant and she has earlier lodged a case under Section 498A of the Indian Penal Code against the brother of informant and due to which, the informant has lodged this false and concocted case implicating all the family members.

Learned counsel for the State opposed the prayer for anticipatory bail and submitted that the victim is still traceless.

Having heard both sides, in view of the above facts, I am not inclined to grant the privilege of anticipatory bail to the petitioners rather petitioners may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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