

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30729 of 2019**

Arising Out of PS. Case No.-1206 Year-2018 Thana- SAHARSA COMPLAINT CASE  
District- Saharsa

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1. Md. Nurullah S/o Late Amanullah Resident of Village- Bhatta Tola, Ranibagh, P.S.- Bakhtiyarpur, District- Saharsa.
  2. Md. Jafarulla @ Munna S/o Late Amanullah Resident of Village- Bhatta Tola, Ranibagh, P.S.- Bakhtiyarpur, District- Saharsa.

... .. Petitioners.

Versus

1. The State of Bihar.
2. Mumtaz Begum W/o Md. Abul Kalam R/o Village- Bhatta Tola Ranibagh, P.S.- Bakhtiyarpur, District- Saharsa.

... .. Opposite Parties.

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**Appearance :**

For the Petitioner/s : Md. Harun Quareshi  
For the Opposite Party/s : Mr. Shailendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL**  
**ORAL ORDER**

2      09-05-2019                      Heard learned counsel for the petitioners and the  
learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 341, 354, 457, 379, 504 & 506/34 of the Indian Penal Code.

Accused Md. Nizamuddin, S.H.O. of P.S. Bakhtiyarpur along with the petitioners are said to have descended the house of the complainant and took away her husband on jeep and lodged him in the hazat and obtained his signature on the blank paper under coercion. Four days later to the aforesaid incident, the accused persons descended her house and started searching her husband.



During the course of search, accused Jafarullah tore her attire and also used filthy language against her.

Learned counsel for the petitioners submitted that no such occurrence as alleged ever took place. The petitioners are quite innocent and have been falsely implicated in this case. The husband of the complainant is accused in other cases and might have been taken into custody by co-accused Md. Nizamuddin, SHO of P.S. Bakhtiyarpur. The petitioners have lodged Bakhtiyarpur P.S. Case No.377 of 2018 against the complainant's husband and others and in order to save his skin from the said case, this case has been lodged on the basis of concocted and false allegations.

On the other hand, learned APP for the State and learned counsel for the complainant opposed the bail petition submitting that two criminal cases have been lodged against them.

Considering the facts and circumstances of case and particularly considering the criminal antecedents, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, the petitioners are directed to surrender before the



learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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