

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63951 of 2019

Arising Out of PS. Case No.-138 Year-2019 Thana- PAHARPUR District- East Champaran

1. SYED MOZAFFAR ALAM @ SYED MUZAFFAR ALAM, aged about 60 years, Male, Son of Syed Hesam @ Syed Heshamuddin, Resident of Village- Nakardei, P.S.- Sugauli, District- East Champaran, at Present Resideing at Azad Nagar, Main Gate, P.S.- Durgapur, District- Paschim Burdwan, West Bangal
2. Syed Gazi Maqsood @ Ghazi Maqsood @ Bholi, aged about 30 years, Male, Son of Syed Mzaffar Alam @ Syed Muzaffar Alam, Resident of Village- Nakardei, P.S.- Sugauli, District- East Champaran, at Present Resideing at Azad Nagar, Main Gate, P.S.- Durgapur, District- Paschim Burdwan, West Bangal
3. Auranzeb @ Syed Jaimul Abdin @ Syed Zainul Abdin, aged about 35 years, Male, Son of Syed Mozaffar Alam @ Syed Muzaffar Alam, Resident of Village- Nakardei, P.S.- Sugauli, District- East Champaran, at Present Resideing at Azad Nagar, Main Gate, P.S.- Durgapur, District- Paschim Burdwan, West Bangal
4. Saba Karim @ Syed Saba Karim, aged about 28 years, Male, Son of Syed Mozaffar Alam @ Syed muzaffar Alam, Resident of Village- Nakardei, P.S.- Sugauli, District- East Champaran, at Present Resideing at Azad Nagar, Main Gate, P.S.- Durgapur, District- Paschim Burdwan, West Bangal
5. Jaffar Alam @ Zafar Alam, aged about 55 years, Male, Son of Syed Hesam @ Syed Heshamuddin, Resident of Village- Nakardei, P.S.- Sugauli, District- East Champaran, at Present Resideing at Azad Nagar, Main Gate, P.S.- Durgapur, District- Paschim Burdwan, West Bangal
6. Rabeya Rahmani @ Rabiya Rahmani, aged about 28 years, Female, D/o Syed Muzaffar Alam, Wife of Syed Aman Akhtar Resident of Village- Nakardei, P.S.- Sugauli, District- East Champaran, at Present Resideing at Azad Nagar, Main Gate, P.S.- Durgapur, District- Paschim Burdwan, West Bangal

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Rajesh Ranjan, Adv.
For the Opposite Party : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 21-10-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with



Paharpur P.S. Case No. 138 of 2019 registered under Sections 109, 325, 327, 341, 379, 380, 384, 406, 467, 468, 420, 504 and 34 of the Indian Penal Code.

The accusation is that marriage of the informant/complainant was performed with petitioner no. 6, Rabeya Rahmani @ Rabiya Rahmani, since, the family members of the informant/complainant was financially sound, then, parents of his wife (petitioner no. 6) made demand of cash of rupees ten lakh as a loan, but, informant/complainant asked them that he will give the money after taking permission of his parents. Informant/complainant gave rupees eight lakh as loan to the parents of petitioner no. 6 and other family members on assurance to return the same. On making demand, all accused/petitioners came at the house of informant/complainant, entered in the house and took ornaments and other articles of the house.

Submission is that petitioner no. 6 is the wife of informant/complainant and other petitioners are family members. In fact, petitioner no. 6 has filed the case against informant/complainant and his family members for offences under Sections 498A, 307, 313, 406 and 120B of the Indian Penal Code and 3 and 4 of the Dowry Prohibition Act, due to



that reason informant/complainant has lodged the present case with false allegation only to put undue pressure.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Paharpur P.S. Case No. 138 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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