

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9847 of 2020

Arising Out of PS. Case No.-1725 Year-2014 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

-
1. KAISAR JAHAN @ QAISAR JAHAN @ PAPPU Son of Late Md. Shah Jahan Resident of Village - Ghogha Bazar, P.S.- Ghogha, District - Bhagalpur
 2. Aurangjeb @ Md. Orangjeb @ Vikki Son of Kaisar Jahan @ Qaisar Jahan @ Pappu Resident of Village - Ghogha Bazar, P.S.- Ghogha, District - Bhagalpur
 3. Md. Nisar @ Nisar Ahmad @ Munna Son of Md. Rajjak Resident of Village - Ghogha Bazar, P.S.- Ghogha, District - Bhagalpur
 4. Md. Wasim Raza @ Wasim Raza @ Dabla @ Dabia Son of Md. Rajjak Resident of Village - Ghogha Bazar, P.S.- Ghogha, District - Bhagalpur
 5. Noor Jahan @ Neelu Wife of Kaisar Jahan @ Qaisar Jahan @ Pappu Resident of Village - Ghogha Bazar, P.S.- Ghogha, District - Bhagalpur
 6. Rinki @ Fatma @ Saiyda Fatma Daughter of Kaisar Jahan @ Qaisar Jahan @ Pappu Resident of Village - Ghogha Bazar, P.S.- Ghogha, District - Bhagalpur

... .. Petitioners.

Versus

1. The State of Bihar.
2. Ruby Khatoon Daughter of Late Md. Eqbal Khan Resident of Village - Ghogha Bazar, P.S.- Ghogha, District - Bhagalpur.

... .. Opposite Parties.

Appearance :

For the Petitioner/s : Mr. Anita Kumari Singh
For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 01-03-2021 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in Complaint case No. 1725 of 2014 registered for the offences punishable under Sections 366A, 376, 498A & 354 of the Indian Penal Code and Section 4 of Dowry Prohibition Act pending in the



Court of learned Sub-divisional Judicial Magistrate, Bhagalpur.

While the complainant/opposite party no.2 was going to attend call of nature, she is said to have kidnapped by the petitioners and was taken to mosque situated at Ghogha Bazar and they forcefully solemnized her marriage with Abdul Qadir. They also taken her signature on a plain paper. It is also alleged that Abdul Qadir committed rape against her. She was confined to a room and lastly thrown out of the house.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. This case has been lodged against the petitioners due to family dispute as petitioner no.1 is the father-in-law, petitioner no.2 is brother-in-law, petitioner nos.3 & 4 are the maternal uncle-in-law, petitioner no.5 is the mother-in-law and petitioner no.6 is the sister-in-law of the opposite party no.2 . Petitioners have no criminal antecedent.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.



Considering the facts and circumstances of case, 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 on the very date of surrender.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

