

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74270 of 2022

Arising Out of PS. Case No.-61 Year-2022 Thana- GANDHIMAIDAN District- Patna

1. SABANA TABUSUM @ SABANA PRAVEEN Wife of Md. Saheb Akhtar
R/o Rajendra Path, Pirmuhani, P.S.- Gandhi Maidan, District- Patna
2. MD. MEHRAB ALAM @ NAWAB AKHTAR Son of Late Amin Akhtar
R/o Bihar Shariff, P.S.- Shohsari, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikash Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Gandhi Maidan P.S. Case No.61 of 2022, registered for the offences punishable under Sections 420, 406, 379, 504, 506, 376 and 34 of the Indian Penal Code.

Co-accused, Saheb Akhtar is said to have taken Rs.30,00,000/- from the informant. When the informant demanded her money, co-accused, Saheb Akhtar, Jasim Akhtar (elder brother of Saheb Akhtar), Nawab Akhtar, petitioner no.2 and Sabana Praveen, petitioner no.1 did not return her money. It is also alleged that co-accused, Saheb Akhtar committed rape with the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that there is general and omnibus allegation against the petitioners. The specific allegation is against co-accused, Saheb Akhtar. It is submitted that petitioner no.1 is wife and petitioner no.2 is brother of co-accused, Saheb Akhtar.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

Taking into consideration the fact that no specific allegation is made against the petitioners, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Patna in connection with Gandhi Maidan P.S. Case No.61 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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