

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19492 of 2024

Arising Out of PS. Case No.-698 Year-2022 Thana- ARARIA District- Araria

1. SHABIR @ SHABEER ALAM SON OF KADIR ALEE RESIDENT OF VILLAGE - RUPAILI, TINDHARIYA TOLA, WARD NO. 02, POLICE STATION - RANIGANJ, DISTRICT - ARARIA
2. SHAFIQUE @ SHAFIQUE ALI SON OF SHAKA RESIDENT OF VILLAGE - RUPAILI, TINDHARIYA TOLA, WARD NO. 02, POLICE STATION - RANIGANJ, DISTRICT - ARARIA
3. RAFIQUE SON OF SHAKAR ALI RESIDENT OF VILLAGE - RUPAILI, TINDHARIYA TOLA, WARD NO. 02, POLICE STATION - RANIGANJ, DISTRICT - ARARIA
4. SAJIF ALAM SON OF MD. MUSTAFA RESIDENT OF VILLAGE - RUPAILI, TINDHARIYA TOLA, WARD NO. 02, POLICE STATION - RANIGANJ, DISTRICT - ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti
For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-04-2024 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 342, 323, 365, 368, 347, 468, 471, 420/34 of the Indian Penal Code.

3. Allegedly, the petitioners kidnapped the son of informant and confined him in the house of co-accused Irfan. Petitioner no.4 compelled the informant to solemnize marriage of his son with the daughter of accused Sabir and also to give 02 decimal land to her daughter otherwise, informant and his



family will be falsely implicated in rape case. Petitioner no.4 compelled the informant to execute deed in favour of his daughter and he also prepared forged documents.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. There is a case and counter-case between the parties. Petitioner no.1 is father of minor victim of Raniganj (RSOP) P.S. Case No.281 of 2022 and petitioner no.4 Sarpanch and other are panches who took part in Panchayat. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is a case and counter-case between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two



sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Araria (R.S) P.S. Case No.698 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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