

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82590 of 2023

Arising Out of PS. Case No.-685 Year-2023 Thana- ARA NAGAR District- Bhojpur

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MUSA HASHMI @ MUSA MIYAN S/O- JAFIR MIYAN Village- Saraiya
Bazar Ps- Kreshnagarh Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Pushpa Sinha. I

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 05-03-2024 Heard the learned counsel for the petitioner as well
as learned APP for the State.

2. The petitioner apprehends his arrest in connection with Ara (Town) P.S. Case No. 685 of 2023, registered for the offences punishable under Sections 363, 365 of the Indian Penal Code.

3. As per allegation, the daughter of the informant went to school for study but she didn't return till late in the evening. Later, during search, she was found at Mugalsarai Railway Platform. The victim alleged that when she was going to school, the petitioner met her and threatened to kill her brothers. Further, with the help of co-accused persons, the petitioner got her seated in a tempo and went to Ara station and



got boarded her on a train to Mugalsarai.

4. The learned counsel for the petitioner has submitted that the victim and her mother, after conspiracy, implicated the petitioner as there is land dispute between the parties. The husband of the informant in paragraph no. 27 of the case diary has stated that the case between the petitioner and the informant in respect of land dispute is pending in Gauri Saraiya. The husband of the informant has specifically stated in paragraph no. 27 of the case diary that his wife has falsely lodged this case.

5. On the other hand, Sri Shailendra Kumar, the learned APP for the State has opposed the prayer for bail and submitted that the victim in her statement under Section 164 of the CrPC has corroborated the allegation against the petitioner.

6. The father of the alleged victim himself has stated in paragraph no. 27 of the case diary that due to land dispute pending in Gauri Saraiya, his wife has lodged this false case against the petitioner.

7. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount



each to the satisfaction of learned Chief Judicial Magistrate,
Bhojpur (Ara) in connection with Ara (Town) P.S. Case No. 685
of 2023, subject to the conditions as laid down under Section
438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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