

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1431 of 2025

Arising Out of PS. Case No.-210 Year-2024 Thana- KATIHAR MUFFASIL District- Katihar

1. Md. Irfan S/O SK. Rafique @ Md. Rafique R/o Garbhaili, P.S.- Muffasil, District- Katihar.
2. Abdul Gaffar @ Md. Gaffar S/O SK. Rafique @ Md. Rafique R/o Garbhaili, P.S.- Muffasil, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal

For the Opposite Party/s : Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-02-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 140(3), 351(2) and 3(5) of the Bhartiya Nyay Sanhita.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that he along with his brother-in-law (Md. Sajid) on 07.09.2024 at 06:15 PM were returning home from Katihar by a Scooty when they were intercepted by four known and 9-10 unknown accused and petitioners pointed gun on the temple of the informant while Md. Azad and Jaafar assaulted him and



snatched the bag containing Rs. 4,50,000/-, when Md. Sajid objected, the accused kidnapped him by an Indica car bearing Registration No. BR-11-PC-5928.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that own sister of the petitioners namely Afsari Khatoon is married to Md. Sajid. It is next submitted that own sister of Md. Sajid is married to the informant. It is next submitted that Afsari Khatoon and Md. Sajid are having marital discord for which *Panchayati* was convened. It is further submitted that these relevant facts have been concealed in the FIR. It is also submitted that since informant is married to the sister of Md. Sajid, as such with a view to help Md. Sajid, has falsely tried to implicate the petitioners who are brothers of Afsari Khatoon.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 learned trial court where the case is pending/successor court in connection with Muffasil P.S. Case No. 210 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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