

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45380 of 2025

Arising Out of PS. Case No.-281 Year-2002 Thana- ARARIA District- Araria

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1. MD. MARGUB @ MD. MARGUB ALAM S/O MD. YASIN R/O VILL.- HALDIA TOLA BOKRA, WARD NO 8, P.S.- FORBESGANJ, (SIMRAHA), DISTRICT- ARARIA
 2. MD. PERWEZ ALAM @ PERWEZ S/O MD. YASIN R/O VILL.- HALDIA TOLA BOKRA, WARD NO 8, P.S.- FORBESGANJ, (SIMRAHA), DISTRICT- ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Naushaduzzoha, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-07-2025 Heard the parties.

2. The petitioner is in custody in connection with Araria P.S. Case No. 281 of 2002 for the offence punishable under sections 364, 368, 498A of the Indian Penal Code.

3. As per the prosecution story, the informant/complainant alleged that his daughter Marium @ Furki was married to the petitioner no. 1 but was tortured for dowry.

4. The petitioner no. 1 went to the house of the informant and wanted some cash amount and upon refusal, he was annoyed. Later, the informant tried to meet his daughter, could not meet, later went with 4 to 5 persons and asked about his daughter when came to know that one Md. Parwez has taken her away.



Lastly, a Panchayat was held and Md. Parwez assured that he will return the lady but she could not be traced out, hence the FIR.

5. Learned counsel for the petitioner no. 1 submits that Md. Parwez took her away and he had no role to play.

6. Learned APP, Mr. Jitendra Kumar Singh on the other hand submits that both the petitioner no. 1, Md. Margub and Md. Parwez are brothers and are petitioners in this case, the matter is of the year 2002 and 23 years later, after processes were issued and they were declared absconder, they approached the Court.

7. Considering the submissions of the parties as also that a lady disappeared, onus was on the husband and the brother-in-law, both are before this Court after 23 years. In that background, it would be appropriate that they face trial.

8. The bail application stands rejected.

9. Considering that the matter is two decades old, it is expected that the Trial Court will be taking the matter seriously and will be concluding the trial at an earliest.

(Rajiv Roy, J)

Vijay Singh/-

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