

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30654 of 2015

Arising Out of PS.Case No. -69 Year- 2015 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

=====

1. Sahjad Mian S/o Samsul Mian Resident of village - Jagdishpur, P.S.
Jagdishpur, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sucheta Yadav(App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 30-10-2015

Supplementary affidavit has been filed which is kept
on the record.

Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under section 366A of the I.P.C

Allegedly, the petitioner and one boy came on
motorcycle and the petitioner started talking with Sempul Kumari,
the daughter of the informant and upon protest they went away by
their motorcycle, but after receiving a call on mobile Sempul
Kumari went out side of her house on the pretext to ease herself
but she did not return and then the case has been lodged.

Submission is that the victim has been released and
her statement has been recorded under section 164 Cr.P.C wherein

she has not stated that she was kidnapped by the petitioner and as such the petitioner who is suffering in custody since 17.03.2015 having no criminal antecedent deserves sympathetic consideration, to which the learned A.P.P. fairly submits that the victim has not stated that the petitioner has kidnapped her rather she has taken the name of other person.

In the facts and circumstances as stated above, considering that the victim has not stated the name of the petitioner regarding her kidnapping by him and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. West Champaran at Bettiah in Nautan P.S. Case No. 69 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--