

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42764 of 2015

Arising Out of PS.Case No. -109 Year- 2015 Thana -BAUSI District- PURNIA

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Md. Mofil Son of Late Bashir Resident of Village - Kakarwa, P.S. - Baisi,
District - Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda

For the Opposite Party/s : Mr. Bharat Bhushan (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-11-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under
Sections 365 and 370/34 of the Indian Penal Code.

Allegation against the petitioner is that he has hand in
kidnapping son of the informant.

It has been submitted on behalf of the petitioner that he
has got no criminal antecedent. He is in custody since 17.7.2015.
Chargesheet has been submitted in the present case. There is no
allegation of tampering of evidence against the petitioner. The
main allegation is against one Ibrahim, who is said to have taken
the victim along with him. As per prosecution case, it is the
petitioner who informed the mother of the victim that Ibrahim had
taken the victim along with him. There is no eye witness to the
alleged occurrence. From perusal of para-33 of the case diary it
would appear that the witnesses have not categorically stated
about involvement of this petitioner.

On behalf of the State and the informant, it is submitted

that the petitioner is named in the F.I.R. and when the Panchyati was called, the petitioner did not participate in the said Panchyati. Hence, his involvement is suspected in the present case.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of Sri Pradumna Kumar, learned Judicial Magistrate, Ist Class, Purnea, in connection with Baisi P.S. Case no. 109 of 2015.

(Sudhir Singh, J)

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