

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49706 of 2015

Arising Out of PS.Case No. -273 Year- 2015 Thana -MINAPUR District- MUZAFFARPUR

1. Md. Sajjad Son of Late Gaffor Ansari Resident of Village - Makrandpur,
P.S.- Gaighat, District -Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.50529 of 2015

Arising Out of PS.Case No. -273 Year- 2015 Thana -MINAPUR District- MUZAFFARPUR

1. Bilash Sah Son of Chalisi @ Chulhai Sah Resident of village -
Astalakpur, P.S. Minapur, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.49828 of 2015

Arising Out of PS.Case No. -273 Year- 2015 Thana -MINAPUR District- MUZAFFARPUR

1. Zarina Khatoon @ Malmaliya wife of Md. Farukh.
2. Inam Son of Md. Farukh. Both resident of village- Barhanda, P.S.
Minapur District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.49706 of 2015)

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Arun Kr.Singh 5(App)

(In Cr.Misc. No.50529 of 2015)

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. S. Eheteshmuddin (App)

(In Cr.Misc. No.49828 of 2015)

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. R.B. Roy Raman (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 04-12-2015

All the three criminal miscellaneous are out of one case and as such, have been heard together and are being disposed of by this common order.

Heard learned counsel for the petitioners and learned A.P.P. representing the State.

The petitioners seek bail in connection with Meenapur P.S. Case No. 273 of 2015 registered for the offence punishable under Section 366-A of the Indian Penal Code.

Allegedly Veena Kumari, aged 16 years, the daughter of the informant was kidnapped for human trafficking by petitioners Zarina Khatoon, Inam and others F.I.R. named persons and during investigation the name of Md. Sajjid and Bilash Sah was also transpired on the basis of mobile location.

Submission is of false implication and that the victim after release had named only Mosharat Khatoon and not the petitioners. The petitioner Md. Sajjid is in custody since 11.08.2015, petitioner Zarina Khatoon and Md. Inam are in custody since 07.08.2015 and the petitioner Bilash Sah is in custody since 01.09.2015, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The petitioners have not been put on T.I.P. to be identified by the victim and, as such, they deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that Zarina Khatoon and Inam are named whereas, the name of the petitioner Bilash Sah and Md. Sajjad had transpired on the basis of mobile location.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioners, above named, are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned C.J.M., Muzaffarpur arising out of Meenapur P.S. Case No. 273 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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