

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22550 of 2015

Arising Out of PS.Case No. -141 Year- 2013 Thana -RANIGANJ District- ARRARIA

Sk. Nanha @ Ibrar Son of SK. Abdas resident of village - Bishanpur, P.s.
Raniganj, District Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 11-08-2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in a case registered
for the offence punishable under Sections 363 and 366A
of the Indian Penal Code.

The allegation against the petitioner is that he
closed the mouth of the prosecutrix from behind and
thereafter, he along with co-accused Sk. Mumtaz took
her to his house and drank her a glass of water. The
prosecutrix thereafter lost her sense and they took her on
the motorcycle. The petitioner caught hold of her and
the co-accused Sk. Mumtaz was driving the motorcycle.
They had a plan to take her to Delhi. She was kept at
different places and ultimately she was taken to Katihar

where she raised alarm. The co-villagers met her and identified her. Thereafter, they assaulted Sk. Mumtaz. Both the accused managed to flee away. The relatives of the prosecutrix were informed and she was taken to her house.

Learned counsel for the petitioner submits that the petitioner is the co-villager of the prosecutrix and they are known to each other. The date of occurrence is 12.8.2013 and the victim was recovered on 14.8.2013 whereas the case has been lodged on 16.8.2013. The petitioner has been in custody since 30.1.2015. He has also submitted that in similar facts and circumstances, co-accused Sk. Mumtaz has been granted bail vide Cr. Misc. no. 12047 of 2015.

It is submitted by the learned counsel for the State that petitioner is the main culprit in this case and after investigation the case has been found true.

Considering the facts and circumstances of this case, the above-named petitioner is directed to 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 learned Chief Judicial Magistrate, Araria/court concerned in Raniganj P.S. Case No. 141 of 2013 ***after framing of charge*** with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or

in any other offence.

- 3. The petitioner will be well represented in the court.
- 4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

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