

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26909 of 2015

Arising Out of PS.Case No. -27 Year- 2015 Thana -SANOKHAR District- BHAGALPUR

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Md. Khursid alias Md. Khursid Alam Son of Md. Mofil Resident of
Amdanda, P.S. Amdnda, District Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra, Advocate

For the Opposite Party/s : Mr. Satyendra Nr. Singh, A.P.P.

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

3 13-10-2015 Heard learned counsel for the petitioner, learned A.P.P.

for the State and learned counsel for the informant.

The petitioner is in custody in connection with
Sanokhar Amdanda P.S. Case No. 27 of 2015 registered for the
offences punishable under Sections 366A/34 of the Indian Penal
Code.

The wife of the petitioner has been allowed pre-arrest
bail by another Bench of this Court.

The petitioner happens to be father of co-accused Imran
Khan against whom there is allegation that he took away the
victim. Moreover, the statement of victim has been recorded under
Section 164 of the Cr.P.C. and she stated in her statement that this
petitioner was also involved in her kidnapping.



Submission is of false implication and that the father of the victim wanted to get the marriage of the victim solemnized with the petitioner's son and prior to the institution of the present case, the father of the victim had given threatening to the petitioner, for which, informatory petition was filed in the Court of Chief Judicial Magistrate, Bhagalpur bearing Petition No. 1596 of 2015. The victim was not recovered by the Police rather she was coming with her father and then, the Police saw them and in the Court also, she had come with her parents, who tutored her. In paragraph 3 of the case diary, the mother of the victim has stated that the victim having love affairs with co-accused Imran Khan, fled away with him also.

The learned A.P.P. duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that the victim has stated in her statement under Section 164 Cr.P.C. regarding the involvement of the petitioner.

In the facts and circumstances as stated above, considering that the mother of the victim has stated that the victim fled away with co-accused Imran having love affairs and as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate

1st Class, Bhagalpur in connection with Sanokhar Amdanda P.S.
Case No. 27 of 2015 (G.R. No. 1095 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)

Vats/-

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