

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31373 of 2015

Arising Out of PS.Case No. -108 Year- 2014 Thana -LADANIA District- MADHUBANI

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Md. Firoz Alam @ Md. Firoj Alam Son of Md. Usman

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.P.P.)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 364, 379, 504 of the Indian Penal Code and section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution case is that the informant purchased one JCV machine in the name of his wife Nilam Devi when this petitioner took away the JCV machine and kidnapped his wife Nilam Devi, daughter Puja Kumari and son Chandan Paswan.

It is submitted by learned counsel for the petitioner that 164 Cr.P.C. statement of the victim as contained in annexure-2 to the petition, the victim has stated that she of her own went to the house of the petitioner since her husband abused her. The victim further stated that she has married with the petitioner. Moreover,

the informant has retracted from the initial version and filed a petition to the effect that he does not want to proceed with the case any further, the same has been brought on record by way of annexure-3 to the petition. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Madhubani in connection with Ladania P.S. Case No.108 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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