

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38175 of 2014

Arising Out of PS.Case No. -426 Year- 2014 Thana -SAHAYAK NAGAR District- KATI HAR

1. Md. Jahangir @ Md. Kalu S/o Md. Faizuddin R/o Shamserganj, P.S.-
Sahayak, Katihar, Distt.- Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. A.Dayal(App)

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

3 09-07-2015 The petitioner is alleged to have kidnapped a girl, and a complaint was submitted and Katihar Sahayak P.S. Case No. 426/14 was registered, alleging offences under sections 363 and 366(A) of the Indian Penal Code.

Apprehending his arrest, the petitioner filed A.B.P. No. 722 of 2014 before the court of Sessions Judge, Katihar. The same was rejected through the order dated 26-8-2014. Hence, this application is filed before this Court.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The crime against the petitioner is serious in nature. Through the supplementary affidavit, the statement said to have been recorded from the victim, is placed. It is not unknown that if

the crime of kidnapping does not become successful, the accused would threaten the kidnapped persons or their in-laws to give statement in their favour, so that the case is watered down.

This Court is not inclined to grant bail to the petitioner. The same is dismissed.

If the petitioner surrenders before the court below within four weeks from today, and files an application for regular bail, the court below shall consider the application and pass appropriate order within three days thereafter. If he does not surrender, the Superintendent of Police shall be under obligation to ensure that the petitioner is arrested, and in such event it shall be ensured that the petitioner remains in prison at least for a reasonable time.

(L. Narasimha Reddy,CJ)

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