

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9909 of 2015

Arising Out of PS.Case No. -506 Year- 2014 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Sk. Moti son of Sk. Mohmood, resident of Baira, P.S.- Jaynagar, District-
Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Shardanand Jha (App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 22-05-2015 Heard Mr. Singh for the petitioner and Mr. Dayal
learned APP for the State.

The petitioner is in custody since 03.08.2014 in connection with Turkauliya P.S. Case No. 506 of 2014 instituted under sections 363 and 366-A/34 IPC. According to the prosecution case, the minor sister of the informant used to go to village mosque for study. The behaviour/conduct of the Maulvi (son of the petitioner) was not decent. On such complaint, he was ousted/removed from the mosque. It is alleged that on the date of occurrence the sister of the informant had gone to the mosque in the morning but did not return. He was informed by the villagers that the petitioner and his son had kidnapped her.

The contention of the petitioner is that from bare

reading of the FIR and materials collected in course of investigation it appears that the son of the petitioner who was Maulvi of the mosque had kidnapped the victim. The petitioner is father. He was not absconder. The police searched the house from where he was arrested. Being the father of the Maulvi he has been implicated in this case. No witness had seen him with the victim on the alleged date of occurrence. He has no criminal antecedent.

In the facts and circumstances of the case, the petitioner abovenamed is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran in Turkauliya P.S. Case N. 506/14 on condition that one of the bailors of the petitioner shall be his own/close family member. In the event of framing of charge the petitioner shall appear on each date fixed at the trial. Failure in appearance on two consecutive dates shall entail cancellation of bail bonds of the petitioner.

(Kishore Kumar Mandal, J)

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