

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10140 of 2016

Arising Out of PS.Case No. -74 Year- 2015 Thana -MARKAHI District- KHAGARIA

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1. Md. Jainul S/o Md. Ishak Resident of Village- Mehsori P.s Muffasil District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 13-04-2016 Heard the learned counsel for the petitioner and the learned A.P.P. representing the State.

The petitioner seeks bail in connection with Morkahi P.S. Case No. 74 of 2015 registered for the offences punishable under Sections 363, 364 and 120(B) of the Indian Penal Code.

Allegedly, Shekh Ayar, aged 8 years, the son of the informant, was kidnapped by some miscreants using Victa Sumo Vehicle and it is suspected that Md. Naushad and two others have kidnapped his son. During investigation, the petitioner and co-accused Raja Sahni and Ravi Kumar Ratan were apprehended with firearm and before that, the victim boy was also recovered.

Submission is of false implication and that in this

case, victim boy has already been recovered safely without payment of any ransom, the petitioner has not been put on T.I.P, similarly situated co-accused Raja Sahni has already been allowed bail vide Criminal Miscellaneous No. 9355 of 2016 and, as such, the petitioner also deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail but fairly submits that co-accused Raja Sahni has already been allowed bail.

In the facts and circumstances stated above, the petitioner, above named, is also 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 Sessions Judge, Khagaria in connection with Morkahi P.S. Case No. 74 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)

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