

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11972 of 2016

Arising Out of PS.Case No. -291 Year- 2012 Thana -NARPATGANJ District- ARRARIA

1. Md. Raful Son of Md. Bhola Resident of Village- Bhorhar PS Fulkaha,
Distt Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Mukesh Kr. Singh (App)

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

3 02-05-2016 Heard the learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Narpatganj P.S. Case No. 291 of 2012 registered for the
offences punishable under Sections 363, 365 and 366 of the
Indian Penal Code.

Allegedly, the wife of the complainant / informant
was kidnapped by the petitioner and other co-accused and the
accused persons were making plan to sell the wife of the
complainant for Rs.38,000/- in Begusarai. During investigation,
the wife of the informant was recovered and she has stated that
the petitioner and one Ejrael offered her tea and after drinking
tea she became unconscious and thereafter, both sold her with

the hand of an old woman and that old woman used to assault her for indulging her in illegal act. However, she informed her husband and she was released.

Submission is of false implication and that the victim has returned back herself, she was not kidnapped, there is no legal and tangible material against the petitioner, however, now, the informant and the victim both have filed petitions in the court below stating about the innocence of the petitioner and others and, as such, the petitioner suffering in custody since 18.01.2016, deserves sympathetic consideration.

The learned A.P.P. submits that now, the informant and the victim both are not ready to support the prosecution version and further, other co-accused Hazroon Khatoon has been allowed regular bail and Bakuwa Khatoon and others have been allowed pre-arrest bail by another co-ordinate Benches of this Court.

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 Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No. 291 of 2012 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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