

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13458 of 2016

Arising Out of PS.Case No. -106 Year- 2014 Thana -MANJHI District- SARAN

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1. Maqsood Khan, Son of Late Amanatullah Khan resident of Village-
Dumari, P.S. Manjhi, District- Saran, (Chapra).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Singh (App)

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

3 19-05-2016 Heard the learned counsel for the petitioner, the

learned A.P.P for the State as also the learned counsel for the

Informant.

The petitioner seeks bail in a case for the offences

punishable under sections 363 and 366 (A) of the I.P.C

Allegedly, some unknown kidnapped Farida Khatoon,

aged 17 years, the daughter of the informant, and she was having

mobile. During investigation the victim girl was recovered and she

in her statement recorded under section 164 of the Cr.P.C. has

stated the name of the petitioner and his son Chhotu Khan as

kidnappers and further named Kalimun Nisa who has assisted

them and thereafter she was kept at Bangalore for fifteen days and

Jumman Khan got her back and kept in Siwan from where she was

recovered by the police.

Submission is of false implication and that the petitioner has got no concern with the alleged kidnapping, as a matter of fact it is a case of love affair between Jumman Khan and the victim, the doctor has found the age of the victim 19 years and against the petitioner there is no allegation that he committed any sexual harassment to the victim. Kalimun Nisa has already been allowed pre-arrest bail and the petitioner was directed to surrender and seek regular bail and thereafter he has surrendered voluntarily on 16.02.2016 and since then he is in custody.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the victim has supported the allegation of kidnapping against the petitioner also.

In the facts and circumstances as stated above, considering that there is no allegation of any sexual harassment and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. 5th, Saran (Chapra) in Manjhi P.S. Case No. 106 of 2014, 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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