

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30697 of 2015

Arising Out of PS.Case No. -9 Year- 2014 Thana -MAHILA P.S District-
WESTCHAMPARAN(BETTIAH)

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1. Javed Alam @ Ais Son of Manjoor Mian @ Manjoor Alam resident of
village - Pipardadhi, P.S. Bagaha, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Suresh Pd.Singh(App)

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

10 22-02-2016

Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence
punishable under section 366/34 of the I.P.C

Allegedly, Savita Devi with nine months old child
was kidnapped by the petitioner and other co-accused and
thereafter during investigation the victim herself appeared before
the police and her statement has been recorded under section 164
of the Cr. P.C. wherein she has made allegation regarding her
kidnapping and the baby by the petitioner and other co-accused.

Submission is of false implication and that in this case
similarly situated co-accused Zaul Haque Alam has already been

allowed bail vide Cr. Misc. No. 48916 of 2014 by order dated 16.04.2015 by another coordinate Bench of this Court and the petitioner is suffering in custody since 07.05.2015 and has been sufficiently penalized, the victim has not stated in her statement recorded under section 164 of the Cr. P.C. as to how she returned to her home.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering that similarly situated co-accused has been allowed bail and as such the petitioner is also 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 S.D.J.M. Bagaha, District- West Champaran in Mahila Bagaha (Bagaha Mahila) P.S. Case No. 09 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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