

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50870 of 2015

Arising Out of PS.Case No. -98 Year- 2015 Thana -GAYGHAT District- MUZAFFARPUR

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Mohammad Nasir Hussain @ Chhote Miyan aged about 75 years old, son of late Md. Tafazul, resident of village-Zaya, P.S. Gaighat, District-Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dr. Mahtab Ahmad, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 29-02-2016 Heard the learned counsel for the petitioner and the learned A.P.P. representing the State.

The petitioner seeks bail in connection with Gaighat P.S. Case No. 98 of 2015 registered for the offences punishable under Sections 363 and 366(A)/34 of the Indian Penal Code.

Allegedly, the victim girl was taken away by Md. Zahid Alam in the Auto-Rickshaw of co-accused Md. Alim @ Alim. Against the petitioner, it is alleged that he has also assisted his son Md. Zahid Alam.

Submission is of false implication and that against the petitioner, there is no material except suspicion due to the reason that he is the father of Md. Zahid Alam, without any material the petitioner is suffering in custody since 29.05.2015

having no criminal antecedent. Co-accused Md. Alim @ Alim has already been allowed bail vide Criminal Miscellaneous No. 47919 of 2015 by another coordinate Bench of this Court.

The learned A.P.P. fairly submits that main accused is the son of the petitioner.

In the facts and circumstances stated above, the petitioner, above named, is 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, Muzaffarpur in connection with Gaighat P.S. Case No. 98 of 2015, subject to the conditions that one of the bailors must be 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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