

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 58080 of 2015

Arising Out of PS.Case No. -26 Year- 2015 Thana -SRI NAGAR District- MADHEPURA

Janak Sardar S/o Laxachattar Sardar, Resident of Village - Madhubani, P.S.
- Srinagar, District - Madhepura

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Nafisuzzoha

For the Opposite Party : Mr. Indu Kri.Srivastav (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 10-03-2016

Heard learned counsel for the petitioner and learned

A.P.P representing the State.

The petitioner seeks bail in connection with Srinagar P.S. Case No. 26 of 2015 (G.R. Case No. 702/2015), registered for the offence punishable under Sections 363, 366(A), 370 (4), (5), 504, 506/34 of the Indian Penal Code.

Allegedly, the petitioner was caught by villagers of village Bhagali, when he was taking away three minor girls for human trafficking and petitioner was talking with man of Kolkata directing him to come soon and take away the three girls.

Submission is of false implication and that the petitioner is poor labourer, he has got clean antecedent. He has been implicated falsely by the informant due to village dirty politics. There is contradictory version in the statement under

section 164 of the Cr.P.C. of the victim girls. The petitioner and the victim girls are closely known to each other, but victim girls not named the petitioner. It is not possible by an empty handed man to kidnap three girls, the petitioner without any fault is suffering in custody since 17.05.2015.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the custody of the petitioner and further chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such, 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 like amount each to the satisfaction of Sri A.K. Pathak, learned Judicial Magistrate, 1st Class, Madhepura in connection with Srinagar P.S. Case 26 of 2015 (G.R. Case No. 702/2015), subject to 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.)

Rajiv/-

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