

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42883 of 2016

Arising Out of PS.Case No. -172 Year- 2015 Thana -KHAZANIHAT District- PURNIA

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Md. Danish @ Md. Danish Waquar Son of Mojibur Rahman Resident of
Village- Khapra, P.S. Rauta, Districtn Purnia.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nafisuzzoha, Advocate

For the Opposite Party : Mr. Sri Ahtash Ali Khan, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 21-11-2016 Heard the learned counsel for the petitioner and the

learned APP for the State.

Petitioner is in custody since 14.07.2016 in
connection with K.Hat (Sahayak) P.S.Case No.172 of 2015
registered for offence punishable under Section 364(A) of the
Indian Penal Code.

The prosecution case is that the informant Azhar
Alam registered FIR against unknown for alleged kidnapping of
his son Tarique Umar, a minor boy aged about 16 years. The said
incident is alleged to have been taken place on 10.03.2015 at 6
P.M. The victim boy Tarique Umar was recovered.

It has been submitted by learned counsel for the
petitioner that the victim boy was recovered and his statement



under Section 164 of the Cr.P.C. has been taken wherein only allegation against the petitioner is of injecting some intoxication. It has further been submitted that some of the co-accused has already been granted privilege of bail by a Coordinate Bench of this Court in Cr.Misc.No.29066 of 2015 dated 07.08.2015 and Cr.Misc.No.45327 dated 19.10.2016. He submits that from perusal of the materials does not reveal that the petitioner's liberty on bail would adversely affect his trial.

However, learned APP for the State opposes the prayer for bail.

In view of the fact that the petitioner has been in custody since 14.07.2016 in connection with the aforesaid case and similarly situated co-accused have already been granted bail by a Coordinate Bench of this Court, let the above named petitioner 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 learned CJM, Purnia in connection with K.Hat (Sahayak) P.S.Case No.172 of 2015.

It is directed that this grant of bail is subject to a condition that the petitioner will not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such

facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions, this bail application stands allowed.

(Nilu Agrawal, J)

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