

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28117 of 2016

Arising Out of PS.Case No. -885 Year- 2015 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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1. Md. Aftab @ Aftab So Late Md. Aziz Mistri resident of Mohalla-
Imamganj, Banaras Bank Chowk, P.S- Town, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Sri Mukteshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 26-09-2016

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under
Sections-364(A), 120(B) of the Indian Penal Code.

The informant lodged the present case when her
husband was kidnapped and a call of ransom was given to her on
her mobile phone. The police and the informant went to the place
where ransom amount had to be delivered to kidnappers. It is
alleged that the petitioner and one Shahwaz Ali came there for
receiving the ransom amount but they were caught by the police.

Submission on behalf of petitioner is that Shahwaz Ali
has already been granted privilege of bail by a coordinate bench of
this court vide order dated 18-05-2016 passed in Cr. Misc. No.
22360 of 2016. It is further submitted that the petitioner was
Khalasi on the tempo of the victim of the present case and as a

matter of fact, some dispute had taken place between them on the point of payment of wages and, that is the reason of false implication of the petitioner in the present case. It is further submitted that the victim himself appeared before the police and he was not recovered by the police and, therefore, the aforesaid circumstance goes to show that the informant in connivance with her husband, lodged this false case.

Considering the above-said facts and circumstances of the case as well as submission of the parties and also taking note of this fact that petitioner does not have any criminal antecedent, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Town P.S. Case No. 885 of 2015 corresponding to Sessions Trial No. 248 of 2016 to the satisfaction of learned Additional Sessions Judge-Ist, Muzaffarpur.

(Hemant Kumar Srivastava, J)

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