

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6197 of 2016

Arising Out of PS.Case No. -204 Year- 2015 Thana -MADHEPURA District- MADHEPURA

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Md. Shamshad son of Late Israfil, Resident of village- Sahugardh, Ward
No. 01, P.S.- Madhepura, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

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

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 23-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection with Sessions Trial No. 70 of 2015 arising from Madhepura P.S. Case No. 204 of 2015 registered for offences under sections 366(A), 153, 295(A)/34 of the Indian Penal Code.

Allegation has been made against the petitioner and others to have forcibly took away the victim-girl. The victim made her statement before the Police, identified the petitioner and others.

The counsel for the petitioner submits that save and except allegation of taking away the victim, no other allegation has been made against the petitioner. This Court had granted the bail altogether six persons involved in the incident.

Looking to the facts and circumstances of the case, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III Madhepura in connection with Sessions Trial No. 70 of 2015 arising from Madhepura P.S. Case No. 204 of 2015, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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