

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55911 of 2015

Arising out of PS.Case No. -213 Year- 2015 Thana -CHATOUNI District- EAST
CHAMPARAN(MOTIHARI)

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Sajan Khan, son of Wahid Mian, resident of village- Khodanagar, P.S.-
Chhatauni, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party : Mr. Md. Ashlam Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 10-03-2016

A supplementary affidavit has been filed on behalf of the
petitioner. Let it be kept on the record.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Chhatauni P.S. Case No. 213 of 2015 for the offences
instituted under Sections 366(A) and 379/34 of the IPC.

The prosecution story, in brief, is that the sister of the
informant was traceless since 11.09.2015. In course of search, the
informant came to know that near Prakash Press, a vehicle was
standing in which FIR named accused persons alongwith a girl
were sitting. Thereafter, the informant went to the house of the
accused persons and found that they were also traceless from their
house. They also took ornaments worth Rs. 1,50,000/- and cash

Rs. 25,000/- and they had kidnapped the minor sister of the informant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner has been made accused in the present case due to mistake of fact. The victim has been examined under Section 164 Cr. P.C. She has denied the allegations made in the FIR. The said statement of the victim is Annexure-2 to the supplementary affidavit.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Chhatauni P.S. Case No. 213/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran at Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)