

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24091 of 2016

Arising Out of PS.Case No. -5 Year- 2015 Thana -PURUSHOTTAMPUR District-
WESTCHAMPARAN(BETTIAH)

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Asgar Ali S/o Ali Hassan Mian, Resident of Village- Barwa Parsauni Badya
Tola, P.S.- Inarwa, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under
Sections 363, 366 and 34 of the Indian Penal Code.

Allegation against the petitioner is that he along with
another co-accused Saddam Baitha forcibly made the victim lady
to sit on the motorcycle and took her away.

It has been submitted on behalf of the petitioner that he is
in custody since 10.4.2016. Chargesheet has been submitted
against the petitioner. No allegation of tampering of evidence is
there against the petitioner. The alleged date of occurrence is said
to be 24.1.2015 but the case was instituted on 23.2.2015. No
explanation for such delay has been made on behalf of the
prosecution. The petitioner is named in the F.I.R. The victim lady
has already been recovered. The victim lady was having extra-
marital affairs with co-accused Saddam which was not liked by
her parents. Petitioner, being a close friend of Saddam, has falsely
been implicated in the present case.

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

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah, in connection with Purushottampur P.S. Case no. 5 of 2015.

(Sudhir Singh, J)

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