

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57668 of 2015

Arising Out of PS.Case No. -193 Year- 2013 Thana -JOKIHAT District- ARRARIA

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Md. Taiyab @ Manglu, Son of Late Sheikh Musaheb Ali, resident of
Village- Mauriya, P.S.- Mahalgaon, District Arariya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Helal Ahmad, Advocate
For the State : Mrs. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 12-02-2016 I have heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in connection with
Jokihat (Mahalgaon) P.S. Case No. 193 of 2013 registered for
offences punishable under Sections 364, 120B/34 of the Indian
Penal Code.

It is contended on behalf of petitioner that the
informant is habitual in filing such type of cases inasmuch as he
had filed such case on earlier occasion for kidnapping of his
nephew (Bhanja) against some other persons also upon which
Araria P.S. Case No. 291/04 was lodged. However, in the same
case he had latter on filed a petition which has been appended as
Annexure 2, stating that his nephew (Bhanja) had gone to Delhi



along with his friends without informing him and, therefore, under certain wrong impression case was lodged by him. Again such type of allegation is being made upon the petitioner that at his instigation his nephew (Bhanja) has been kidnapped and he might have been killed also. It is also stated that sister and brother of his nephew (Bhanja) has stated before the court below that their brother fled away on being chastised by the informant and his wife. No other person is responsible for that. It is contended that investigation is still continuing in view of the fact that the aforesaid person has not been recovered. It is further submitted that nephew (Bhanja) of the informant is not a child but is a fully grown up 22 years old person.

Learned counsel appearing for the State submits that though it has been come in supervision note of the Additional Superintendent of Police that, in view of some land dispute, the petitioner has falsely been implicated but at the same time investigation is still continuing inasmuch as the nephew of the informant is yet to be traced out.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Md. Taiyab @ Manglu be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Jokihat (Mahalgaon)

P.S. Case No. 193 of 2013, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Arariya subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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