

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10269 of 2016

Arising Out of PS.Case No. -10 Year- 2011 Thana -BAIRGACHHI District- ARRARIA

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Md. Jahangir @ Jahangir, son of Md. Yasin, Resident of village- Iztama
tola, Zeromile, Gaiyari, P.S.- Arari, Dist- Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dr.M.K.Gautam(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 18-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Bairgachhi
P.S. Case No. 10 of 2011 registered for the offence punishable
under Section 366(A)/34 of the Indian Penal Code.

Allegedly, Khairun Nisha aged 13 years the daughter
of the informant was kidnapped by co-accused Nooruddin and the
petitioner, she is still traceless.

Submission is of false implication and that during
investigation no eye witness has come forward to say regarding
the actual kidnapping, some of the witnesses have only stated that
Md. Nooruddin might have taken away the victim girl at Mumbai
and that Md. Nooruddin has already been allowed bail vide Cri.

Misc. No. 21011 of 2014 and, as such, the petitioner who is suffering in custody since 13.1.2016, also deserves sympathetic consideration as chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and further the petitioner has got clean antecedent.

The learned A.P.P. fairly submits that co-accused has been allowed bail.

In the facts and circumstances stated above, the petitioner, above named, is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Araria in connection with Bairstachhi P.S. Case No. 10 of 2011 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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