

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3499 of 2017

Arising Out of PS.Case No. -35 Year- 2010 Thana -MEERGANJ District- PURNIA

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Nehal @ Md. Nehal Ahmad, son of Md. Abdul Rajjaque @ Md. Rajjaque,
resident of Village- Khedali Chak, Dacaita, P.s.- Mirganj, District- Purnea.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Matloob Rab, APP-34

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

ORAL ORDER

2 27-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Mirganj
P.S. Case No. 35 of 2010 registered for the offence punishable
under Section 366A of the Indian Penal Code.

During trial the informant has been examined as PW 5
and in cross-examination he has admitted that he had not seen the
kidnapping of his daughter and his daughter told him that she has
married out of her own will with Allaudin and out of that wedlock
there is a child also. He has further stated that he does not want to
proceed with the case. On these premises learned counsel for the
petitioner seeks release of the petitioner submitting that the
petitioner by remaining in custody since 17.08.2016 has been
sufficiently penalized, the petitioner got no concern with the



victim and under confusion the petitioner has been named in the first information report.

In the facts and circumstances stated above, considering the statement of the informant during trial, the petitioner above named is 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 Ist Additional Sessions Judge, Purnea in S. T. No. 332 of 2016 arising out of Mirganj P.S. Case No. 35 of 2010, subject to the conditions that one of the bailors must be a 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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