

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18963 of 2017

Arising Out of PS.Case No. -184 Year- 2016 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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1. Ejaj Mian, Son of Imran Mian, Resident of Village- Belwatiya, Police Station- Sugauli, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Sugauli P.S.Case No.184 of 2016, registered for offences punishable under Sections 363, 365, 366(A), 506 & 34 of the Indian Penal Code.

Allegation, as per F.I.R., against the petitioner and other accused persons is of kidnapping the daughter of the informant, however, it is submitted on behalf of the petitioner that in the statement of the victim girl recorded under Section 164 Cr.P.C. name of the petitioner has not been taken and the other accused person, who name has been mentioned in the statement of the victim girl has already been granted bail by this Court vide order dated 27.2.2017 passed in Cr. Misc. No.3935 of 2017 and the petitioner is in custody since 28.10.2016.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, and the fact that the co-accused, against him there is more serious allegation than the petitioner, has already been granted bail, as such let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Motihari in connection with Sugauli P.S.Case No.184 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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