

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7130 of 2017

Arising Out of PS.Case No. -79 Year- 2016 Thana -BELSAND District- SITAMARHI

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Md. Mokhtar @ Muka, S/o Md. Jainul, resident of Village Pandrahi, P.S.
Sursand District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the Informant : Mr. P.K.N. Singh, Advocate
For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-02-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Belsand P.S.Case No. 79 of 2016 registered for the offences punishable under Sections 366A, 363 and 120B/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that petitioner is not named in the FIR but later on his name has come in the statement of the girl recorded under Section 164 Cr.P.C. wherein allegation against the petitioner is of assisting in kidnapping and has remained in custody for about three months.

Heard learned APP and learned counsel for the informant also, who have opposed the prayer for bail.

Having heard both sides and considering the



allegation as well as period of detention of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi, in connection with Belsand P.S.Case No. 79 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate 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 reason, the prosecution is free to move the cancellation of his bail.

(Vinod Kumar Sinha, J)

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