

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7327 of 2017

Arising Out of PS.Case No. -5 Year- 2016 Thana -JOKIHAT District- ARRARIA

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Md. Shoyeb Alam @ Soib @ Shoyeb Alam @ Md. Soib, S/o Md. Safique
@ Chhotkan, Resident of Village- Girda Tola Parwanpur, P.S.- Jokihat,
District- Araria.

.... Petitioner.

Versus

The State of Bihar.

.... Opposite Party.

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Appearance :

For the Petitioner : M/s. N.K. Agrawal, Senior Advocate & Vijoy Anand,
Advocate.

For the State : Mr. Nand Kishore Pd., A.P.P.

For the Informant : Mr. Md. Ziaul Quamar, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 16-03-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the informant.

The petitioner seeks bail in connection with Jokihat P.S.
Case No.05 of 2016 registered under Sections 366/34 of the Indian
Penal Code.

The accusation is that on 14.12.2015, the wife of the
informant moved from the house to go for her Maika but she did not
return. On search, her no trace was found. The informant raised
suspicion about kidnapping of his wife by Md. Mohid, Md. Shafique
and Md. Soib Alam (petitioner).

Learned counsel appearing on behalf of the petitioner
submits that it would appear from the F.I.R. that the occurrence



regarding the missing of the wife of the informant is said to be of 14.12.2015 but the informant gave his written report on 05.01.2016 in the evening at about 06.15 P.M. In her statement, the wife of the informant herself stated about her kidnapping by this petitioner and two others by administering poisonous sweet and keeping her at Lucknow and leaving her at village by the petitioner and two others on 05.01.2016 and also causing injury to her through iron rod and committing rape on her by this petitioner but this fact has not been detailed in the F.I.R., while the F.I.R. has been lodged on the same day in the evening. In fact, the informant and the petitioner are co-villager and due to some dispute, the petitioner has falsely been implicated in this case. Further submission is that the petitioner having no criminal antecedent is in custody since 17.09.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, in connection with Jokihat P.S. Case No.05 of 2016.

(Rajendra Kumar Mishra, J)

P.S./-

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