

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29814 of 2017

Arising Out of PS.Case No. -295 Year- 2016 Thana -JAGDIHSPUR District- BHOJPUR

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Bhuar Mansuri, Son of Sri Salim Mansuri, Resident of Mohalla- Gurhati
(Jagdishpur Ward No. 4), P.S.- Jagdishpur, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

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

ORAL ORDER

2 11-07-2017 Heard learned counsel for the petitioner and learned APP
representing the State.

The petitioner seeks bail in connection with Jagdishpur P.S.
Case No. 295 of 2016 registered for the offences punishable under
Sections 363, 365/34 of the Indian Penal Code.

The petitioner is named in the first information report with
allegation that he has assisted Chunnu @ Phoolkant Mansuri in
kidnapping the daughter of the informant aged 12 years but the victim
after return, in her statement recorded under Section 164 Cr.P.C., has
not stated the name of the petitioner. She has stated that Phoolkant
Mansuri kidnapped her and brother and bhabhi of Phoolkant assisted
him.

Submission is of false implication and that the victim in her
statement has not stated the name of the petitioner and only on
suspicion the petitioner has been named and as such the petitioner



deserves sympathetic consideration. Similarly situated co-accused Afuja Mansuri @ Mahfuz Kuraisi @ Mahfumi Kuraisi @ Akuja Mansuri has been allowed pre-arrest bail vide Cr. Misc. No. 5956 of 2017 and as such the petitioner deserves sympathetic consideration.

Learned APP after going through the statement of victim recorded under section 164 Cr.P.C. fairly submits that the name of the petitioner has not been taken by the victim.

In the facts and circumstances stated above, 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 A.C.J.M. 11, Bhojpur at Ara in connection with Jagdishpur P.S. Case No. 295 of 2016, 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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