

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33694 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -MAHESI District- SAHARSA

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Jabbar @ Md. Jabbar, S/o Md. Nayeem, Resident of Village- Lakshminiya,
P.S.- Maheshi, District- Saharsa (Bihar).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Abdus Shakoor, Advocate

For the Opposite Party/s : Mr. Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-07-2017 The petitioner seeks bail in connection with Maheshi
P.S. Case No. 22 of 2017 registered for offences punishable under
sections 366A and 34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping. On
15.02.2017 the informant alongwith his wife went to his field and
daughter of the informant had gone to collect fuel wood then
petitioner alongwith co-accused persons kidnapped her.

Learned counsel for the petitioner submitted that he
has falsely been implicated in this case. It has further been stated
that statement of the victim girl recorded under Section 164 Cr.P.C.
as such she has willingly solemnized marriage with Md. Jabbar. It
has been stated that petitioner is in custody since 01.03.2017.

Heard learned A.P.P. also.



Having heard both sides and considering the aforementioned facts and circumstances, this application is allowed, let petitioner surrender before the Court of learned Chief Judicial Magistrate- II, Saharsa and on his so surrendering the Court below will release him on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate- II, Saharsa, in connection with Maheshi P.S. Case No. 22 of 2017, subject to the 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 adduce 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 reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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