

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54538 of 2017

Arising Out of PS.Case No. -950 Year- 2016 Thana -BANKA District- BANKA

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Md. Shahid Ali @ Md. Shahid S/o Md. Shahjahan Resident of village-
Habibpur, Mohalla- Mohbali Chak, P.S.- Habibpur, District- Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Banka P.S. Case No. 950
of 2016 registered under Section 364/34 of the Indian Penal Code.

Daughter of the informant is said to have been
kidnapped by some unknown miscreant and he received a ransom
call of Rs. 10,00,000/- in lieu of her return. Victim herself returned
to her house and her statement under Section 164 Cr.P.C. was
recorded after two days of the occurrence. In her statement, she
has stated that the petitioner along with one Yasmin has taken her
to Sandish Compound Bhagalpur on motorcycle and asked her to
claim Rs. 10,00,000/- as ransom from her father and on venting
financial crisis of her father, they dropped her near Samukhiya



More.

It is submitted by learned counsel for the petitioner that he is not named in the F.I.R. He has no concern with the aforesaid occurrence. As a matter of fact, the informant has filed this case in order to mount pressure upon him to perform marriage with his daughter. The victim has given her statement in collusion of her father as step-in-aid towards his aforesaid effort. The victim went with the petitioner and Yasmin on the motorcycle freely. Had she been kidnapped by the petitioner, she would have made hulla or jumped down from the motorcycle. Moreover after kidnapping the victim, the petitioner would not have left her free merely on venting financial crisis of her father. The petitioner has been languishing in custody since 08.08.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 950 of 2016.

(Prakash Chandra Jaiswal, J)

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