

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33333 of 2017

Arising Out of PS.Case No. -66 Year- 2017 Thana -BAKHTIARPUR District- SAHARSA

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1. Md. Shamshad @ Md. Shamshad Ansari Son of Md. Ayub Ansari, R/o
Village- Chausa Bazar, P.S.- Chausa, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 19-08-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 365 and 366 of the Indian Penal Code.

The FIR was lodged against unknown on missing of the daughter of the informant. On recovery, the victim disclosed that she is already married with Sushil Sharma. However, she was kidnapped by the FIR named accused persons including the petitioner. Thereafter she narrated the details of her movement along with the accused persons to different place without making any protest. She further disclosed that co-accused Mojahid and two unknown persons established physical relation with her.



Submission of the learned counsel for the petitioner is that the matter appears to be of love affairs and under pressure, the victim has given false statement. She was never seen with the petitioner by anyone at any point of time whereas she was recovered along with Mojahid at Bhatinda.

Considering the fact that there is no substantial material against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa/successor Court in connection with Bakhtiyarpur Police Station Case No. 66 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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