

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50536 of 2017

Arising Out of PS.Case No. -3 Year- 2016 Thana -TISIAUTA District- VAISHALI(HAJIPUR)

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Rahmat, son of Late Amin Mian, resident of Village- Lamuwari Simaswara,
Police Station- Patepur, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Shamimul Hoda

For the Opposite Party/s : Mr. Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-11-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Tisiauta
P.S.Case No. 3 of 2016 registered for the offences punishable
under Sections 365 and 366A/34 of the Indian Penal Code.

Allegation against the petitioner and other accused
person is of kidnapping daughter of informant on the point of
pistol. It further appears that later on daughter was recovered and
made her statement under Section 164 Cr.P.C.

Submission of learned counsel for the petitioner is that
the victim girl has not named this petitioner in her statement under
Section 164 Cr.P.C. rather she has stated that three other accused
persons were there. Further submission is that one co-accused,
who has been named in FIR as well as in 164 Cr.P.C. statement,
has been granted privilege of anticipatory bail by a co-ordinate
Bench of this Court in Cr.Misc.No. 22054 of 2016, vide order
dated 19.5.2016 (Annexure-3) and he is in custody since



21.8.2017.

Heard learned APP, who has opposed the prayer for bail.

Having heard both sides and in view of facts and circumstances, as stated above, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-IX, Vaishali at Hajipur, in connection with Tisiauta P.S.Case No. 3 of 2016, subject to the following conditions :

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) Petitioner shall co-operate in trial and appear on each and every date in court and on failure to appear on two consecutive dates without any genuine ground or without permission of court, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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