

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2051 of 2017

Arising Out of PS.Case No. -536 Year- 2015 Thana -ARARIA District- ARARIA

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Md. Manjoor Alam @ Md. Manjoor @ Manjoor Alam, Son of Late Suleman, resident of Village- Dumra, Police Station- Bounsi, District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 25-01-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Araria P.S. Case No.536 of 2015/G.R. No.3168 of 2015 registered under Sections 364/34 of the Indian Penal Code.

The accusation is of kidnapping the nephew of the informant by four persons, named in the F.I.R., including the petitioner.

Submission on behalf of the petitioner is that it would appear from the F.I.R. that the informant is not an eye witness to the occurrence and the informant has disclosed the name of the culprits only on the basis of suspicion. Moreover, in his statement



recorded under Section 164 of the Code of Criminal Procedure, the nephew of the informant has named only three persons as Jabbar, Ali and Imam and not this petitioner, who carried him forcibly. In fact, the petitioner, with an ulterior motive, has falsely been implicated in this case by the informant and he has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate (P. File), Araria, in connection with Araria Police Station Case No.536 of 2015/G.R. No.3163 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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