

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18908 of 2017

Arising Out of PS.Case No. -253 Year- 2016 Thana -KADWA District- KATIHAR

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1. Md. Mustafa, Son of Late SK. Wohab @ Wahab, All resident of
Village- Hachalpur Pararia, P.S.- Kadwa, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 04-07-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 364, 366(A), 504 and 120(B)
of the Indian Penal Code in connection with Kadwa P.S. Case No.
253/2016.

Allegation against this petitioner is of kidnapping.

It has been submitted on behalf of the petitioner that
he has falsely been implicated in this case and further submitted
that earlier a case was lodged against Md. Kalim, brother of
petitioner, in which both the parties has compromised. It has
further been submitted that similarly situated co-accused persons
have already been granted anticipatory bail by a co-ordinate Bench



of this Court. Further, the petitioner is in custody since 01.02.2017.

Learned Additional Public Prosecutor opposes the prayer for bail and submitted that the allegation of kidnapping against the petitioner is supported by the informant and the eye-witness, which appears from paras 5 and 8 of the case dairy and further the victim has not yet been recovered.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner, above named, on bail. Accordingly, the same is rejected.

(Vinod Kumar Sinha, J.)

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