

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38384 of 2017

Arising Out of PS.Case No. -133 Year- 2016 Thana -PALASI District- ARRARIA

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1. Md. Mustafiz @ Mustafiz S/o Late Masroor Resident of village - Barhat,
Ward No. 2, P.S. Palasi, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-08-2017 The petitioner is apprehending his arrest in connection
with Palasi P.S. Case No. 133 of 2016, registered for offences
punishable under Sections 363, 366A of Indian Penal Code.

Allegation against the petitioner is of kidnapping the
minor girl of the informant.

It has been submitted on behalf of the petitioner that he
has falsely been implicated in this case and even the girl in her
statement recorded under Section 164 Cr.P.C. has admitted that
she has married with the petitioner and wants to live with him and
the age of girl in the statement under Section was assessed as 19
years and medical board also found her age between 16 ½ to 17 ½
years.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let
the petitioner above named, in the event of his arrest or surrender



before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-III, Araria, in connection with Palasi P.S. Case No. 133 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, this is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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