

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6900 of 2018

Arising Out of PS.Case No. -206 Year- 2017 Thana -PURNEA SADAR District- PURNIA

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MD. TABREJ @ SAHRUKH @ SAHRUKH KHAN @ SALLU @
MD.TEUBREJ, Son of Md. Sagir, R/o Village- Kalimganj, P.O.- Pokharia,
P.S.- Sadar, District- Purnea.

.... 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 JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

This is the second round of litigation. Earlier the prayer
for bail of the petitioner was rejected vide order dated 30.08.2017
passed in Cr. Misc. No. 31947 of 2017.

Petitioner is languishing in judicial custody since
26.04.2017 in connection with Sadar (Mu) P.S. Case No. 206 of
2016 for offences punishable under Sections 363, 366-A/34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter Bhanupriya, aged 17 years, went from her house
to purchase house hold articles but did not return. It is alleged that
the petitioner along with two other co-accused has kidnapped his



daughter.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and the victim girl in her statement under Section 164 of the Cr. P.C. has not alleged any overt act committed by the petitioner. He submits that one of the co-accused has already been granted the privilege of bail by this Court in Cr. Misc. No. 26892 of 2017 vide order dated 05.09.2017 and the petitioner is languishing in judicial custody since nearly ten months.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Sadar (Mu) P.S. Case No. 206 of 2017, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.



(2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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