

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39994 of 2018

Arising Out of PS. Case No.-40 Year-2018 Thana- PATLIPUTRA District- Patna

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Waqar Ashraf @ Aamir, Son of Sultan Ashraf, Resident of Nazeer Manzil
Mungeriganj, P.S.- Nagar, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv.
	:	Mr. Pravin Kumar, Adv.
	:	Mr. Shashank Shekhar, Adv.
For the Informant	:	Mr. F.R. Mallick, Adv.
For the Opposite Party/s	:	Mr. Sunil Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

7 19-09-2018

Heard learned counsel for petitioner, learned counsel
for the State as well as learned counsel for the informant.

This is an application for grant of regular bail in
connection with Patliputra P.S. Case No. 40 of 2018 registered
for the offences punishable under Sections 364(A) of the Indian
Penal Code.

Informant is the brother of the victim boy, who has
alleged in his written complaint that his brother has been
kidnapped in the way of school by unknown persons and also
demanded Rs. 1.50 crores as ransom.

It has been submitted on behalf of the petitioner that
petitioner is not named in the FIR and he has been falsely
implicated in this case only on suspicion. None of the
apprehended accused have named petitioner. The



victim boy has also not named petitioner in his statement recorded under Section 161 of Cr.P.C. His name has come first time in the statement of victim boy recorded under Section 164 of Cr.P.C., informant and petitioner are well known to each other.

Learned Counsel for the informant has vehemently opposed the prayer for grant of regular bail to the petitioner.

Considering the facts and circumstances of the case, let above named petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Sub Judge-XII-cum-A.C.J.M., Patna, in connection with Patliputra P.S. Case No. 40 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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