

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22674 of 2018

Arising Out of PS.Case No. -372 Year- 2017 Thana -AJAMNAGAR District- KATIHAR

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1. Md. Asif S/o Tauhid, R/o Vill.- Kashyabpur, P.O.- Mohisrakha, P.S.-
Uluberia, District- Howrah, West Bengal at presently R/o Vill.- Govindpur
(Salmari), P.S.- Azamnagar (Salmari O.P.), District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-06-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Azamnagar (Salmari OP) P.S.Case no.372 of 2017 , registered for
offences punishable under Sections 363/366 of the Indian Penal
Code.

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

Submission of the learned counsel for the petitioner is that
the whole allegation is false and concocted, which will appear
from the statement of the girl under Section 164 Cr.P.C.
mentioned in para 40 of the Case Diary.

Heard learned A.P.P. also, who has not controverted the
above facts.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Katihar in connection with Ajamnagar (Salmari OP) P.S.Case No.372 of 2017 dated 16.11.2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (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 will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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