

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9985 of 2018

Arising Out of PS. Case No.-58 Year-2017 Thana- UCHAKAGAON District- Gopalganj

Sameer Alam @ Md. Irshad S/o Late Md. Bashir, R/o Village- Srirampur,
P.S.- Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Shahab Khalil
For the Opposite Party/s : SMT. GULNAR BEGAM

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 21-03-2018 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 13.07.2017, passed in Cr. Misc. No. 28494 of 2017.

Petitioner is languishing in judicial custody since 22.04.2017 in connection with S.T. No. 376 of 2017, arising out of Uchakagaon P.S. Case No. 58 of 2017 for offences punishable under Sections 363, 366-A of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his daughter Priti Kumari, aged 17 years, while going to deposit her Aadhar Card was kidnapped by the petitioner.

It has been submitted by the learned counsel for the



petitioner that he is innocent, no such occurrence took place and the victim girl also in her statement under Section 164 Cr.P.C. has not stated about any rape committed on her, which is corroborated by the medical report. He submits that the petitioner has been punished sufficiently and undertakes to cooperate in the trial on day-to-day basis.

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 Addl. Sessions Judge-I, Gopalganj, in connection with Sessions Trial No. 376 of 2017, arising out of Uchakagaon P.S. Case No. 58 of 2017, subject to the following conditions :

(i) 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.

(ii) 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)

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