

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43126 of 2018

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1. Irshadujama @ Irshad @ Md. Irshaduzzaman, Son of Md. Shamshadujama @ Shamshaduzzama, Resident of Village- Lakhminia, P.S.- Ballia, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Sri Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 19-07-2018 Heard both sides.

The petitioner apprehends his arrest in connection with Barauni P.S. Case No.443 of 2017 registered under Sections 366(A)/34 of the Indian Penal Code.

The allegation has been made of committing kidnapping but the statement under Section 164 Cr.P.C. shows that she was not kidnapped by any person but she herself had gone voluntarily. The petitioner has no criminal history as stated in paragraph 3 of the bail petition but the statement of 164 reflects herself shows that she had gone of her own will.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner, above named, in the event of his arrest or surrender before the learned Court below



within a period of four weeks from the date of receipt / production of a copy of this order is directed to 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, Begusarai, in connection with Barauni P.S. Case No.443 of 2017, subject to conditions that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the Court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the Court below. In event of failure to appear on two consecutive dates, the Court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Barauni police station by 7th of every month for at least six months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been cancelled.

(Shivaji Pandey, J)

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