

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60262 of 2018

Arising Out of PS. Case No.-121 Year-2018 Thana- SAUR BAZAR District- Saharsa

Md. Iliyas, S/o Late Md. Nakchhedi, Resident of Village- Sirha, Tola
Ramnagar, P.S. Sour Bazar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 12-10-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Sour Bazar P.S. Case No. 121 of 2018
registered for the offences punishable under Sections 366A and
34 of the Indian Penal Code.

Informant alleged that petitioner along with other
co-accused entered in his house and tied him and his wife on the
point of pistol and kidnapped his minor daughter Kajal Khatoon.
It has been further stated that on earlier occasion petitioner
along with other co-accused persons had kidnapped his daughter
who was recovered during investigation.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case due to enmity and dirty village
politics. There is general and omnibus allegation against this
petitioner. There is no specific allegation of any overt act against



the petitioner. He has no criminal antecedent and he is in custody since 13.07.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa in connection with Sour Bazar P.S. Case No. 121 of 2018 subject to conditions:

- (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 valid reason trial court shall have liberty to cancel his bail bond.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case case diary, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Rajiv/Manoj-

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