

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.66259 of 2018

Arising Out of PS. Case No.-123 Year-2018 Thana- SINGHWARA District- Darbhanga

Md. Zubair Safi Son of Quasim Safi Resident of Village- Sakarpur, Police Station- Singhwara, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 21-12-2018

Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Singhwara P.S. Case No. 123 of 2018 dated 19.06.2018 instituted under Sections 363/366A/504/34 of the Indian Penal Code.

3. The allegation against the petitioner and two others is of kidnapping the 15 years old daughter of the informant.

4. Learned counsel for the petitioner submitted that it was a case of love affair as another co-accused Md. Mustafa Safi has been arrested by the police along with the victim girl from Gurgaon in the State of Haryana. It was submitted that just because the petitioner is the brother of Md. Mustafa Safi, he has



also been implicated falsely. Learned counsel further submitted that the victim girl has not taken the name of the petitioner in her statement before the court under Section 164 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the 'Code').

5. Learned A.P.P. submitted that the petitioner has also been named by the mother of the victim girl to be an accomplice.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Darbhanga in Singhwara P.S. Case No. 123 of 2018, subject to the conditions laid down in Section 438(2) of the Code.

(Ahsanuddin Amanullah, J)

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