

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5634 of 2019

Arising Out of PS. Case No.-21 Year-2005 Thana- BAIKUNTHPUR District- Gopalganj

Kayamuddin Ansari @ Kiyamuddin Ansari Male aged about 51 Years s/o Late
Sahabjan Mian, Resident of village- Kiritpur Bangara, PO Paharpur, PS
Baikunthpur, District Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anita Kumari
For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 11-03-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Section 366 of the Indian Penal Code.

Allegation against the FIR named accused including petitioner is of kidnapping the Niece of Informant. FIR was instituted upon a complaint case.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to



land dispute. It has further been submitted that victim Sakila did not appear before the court as witness. During the course of trial one of the co-accused Kitabuddin Ansari has already been acquitted. Petitioner is in custody since 26.10.2018. Informant has been declared hostile by the prosecution during trial.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Trial No. 2583 of 2018, G.R. No. 436 of 2005 arising out of Baikunthpur P.S. Case No. 21 of 2005**, with following 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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