

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.531 of 2019

Arising Out of PS. Case No.-319 Year-2018 Thana- MINAPUR District- Muzaffarpur

Md. Kaishar (Male) aged about 23 years, Son of Md. Hadish, Resident of Village-Manika Wishunpur @ Bishunpur Bishnupur Bhand, P.S. Mushahari, District .-Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, adv.

For the Opposite Party/s : Mr.Sri Nagendra Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 05-03-2019 Heard learned counsel for petitioner, learned counsel for the informant and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Minapur (Panapur) P.S. Case No. 319 of 2018 registered for the offences punishable under Sections 365, 366, 366A/34 of the Indian Penal Code.

Counsel for the petitioner submits that victim girl has given statement under Section 164 Cr.P.C., wherein, she has levelled specific allegation against co-accused, Shamshad and Khurshid, of having established physical relationship with her, however, no such, allegation has been made against petitioner. It has been submitted that petitioner is innocent and has been falsely implicated in this case due to village politics. Similarly placed co-accused Maqsood Ansari has been granted bail by co - ordinate bench of



this court vide order dated 06.02.2019 passed in Cr. Misc. No. 6756 of 2019. Petitioner has no criminal antecedent and is in custody since 07.08.2018.

Bail petition has been opposed by the counsel for the informant and State.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Minapur (Panapur O.P.) P.S. Case No. 319 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his 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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