

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5760 of 2019

Arising Out of PS. Case No.-276 Year-2018 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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Md. Rizban Md. Nazim R/o Mohalla- Kaidrabad Near Naka No.2, P.S.-
LNMU Campus, District – Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 28-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with University/L.N.M.U. P.S. Case No. 276 of 2018 registered
for the offence punishable under Sections 363, 366A of the
Indian Penal Code.

Informant is the mother of victim girl, who in her
written complaint has stated that on 07.11.2018 her daughter
had gone to Bishmillah Hotel to meet her relative and thereafter
she became traceless. On 23.11.2018 after much search, she
found her daughter on station road near Bishmillah Hotel with
one boy and after seeing her, the boy started fleeing away but
after chase he was apprehended by the people and he disclosed



his name as Md. Rizban (petitioner).

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been further submitted that occurrence took place on 07.11.2018 whereas FIR was lodged on 23.11.2018 and no explanation has been given for such delay. It has been further submitted that the statement of victim was recorded under Section 164 Cr.P.C. in which she has stated that she had love with the petitioner and she wants to marry him. Petitioner has no criminal antecedent and he is in custody since 24.11.2018.

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, Darbhanga, in connection with University/L.N.M.U. P.S. Case No. 276 of 2018 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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