

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11206 of 2019**

Arising Out of PS. Case No.-244 Year-2018 Thana- NAWANAGAR District- Buxar

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Munib Sah, Son of Lal Saheb Sah, R/o village- Mohanpur, P.S- Sikaraul ,
District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Surendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 17-05-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Nawanagar P.S. Case No. 244 of 2018 registered under
Section 363 and 366(A)/34 of the Indian Penal Code.

The accusation is of kidnapping the daughter of the
informant by the petitioner with the help of Rajesh Kumar.

Learned counsel for the petitioner submits that
petitioner is the co-villager of the informant and due to old
enmity, the present case has been lodged with false allegation.
Further submission is that it would appear from case diary,
which is up to paragraph 32, that the Investigating Officer has
not recorded the statement of any independent witness having



seen the kidnapping of the daughter of the informant by the petitioner and Rajesh Kumar, but only suspicion has been raised against them. In fact, Priya Devi, married daughter of the informant had left her Sasural house with Jai Prakash but the informant had named the petitioner in Buxar (M) P.S. Case No. 222 of 2017 as kidnapper of his married daughter, Priya Devi but thereafter, statement of Priya Devi was recorded under Section 164 of the Cr.P.C., in which, she did not disclose the name of petitioner having hand of her kidnapping.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar, in connection with Nawanagar P.S. Case No. 244 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Chakradhari Sharan Singh, J)

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