

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75558 of 2018

Arising Out of PS. Case No.-144 Year-2017 Thana- AAJAM NAGAR District- Katihar

1. Sk. Isha @ Isha Hak, Son of SK. Abid,
2. Reshma Khatoon, Daughter of Md. Ishhak, Both resident of Village- Jokar Bandh Tola, P.S. Azam Nagar, District- Katihar.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Smt. Sahin Begam

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 12-04-2019 Petitioners seek bail in anticipation of their arrest in connection with Azam Nagar P.S. Case No. 144 of 2017, registered for the offences punishable under Sections 147, 452, 366A/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioners is of kidnapping of minor daughter of the informant.

Submission of learned counsel for the petitioners is that the occurrence took place on 17.9.2016 and for that complaint was filed on 21.12.2016 and prior to that petitioner No.1 has filed a complaint case regarding kidnapping of his daughter on 29.10.2016 and FIR was registered on 5.12.2016 and the victim girl herself produced before the police by the informant herself and she gave her statement under Section 164 Cr.P.C. and she did not utter a single word about her captivity, i.e. where the accused persons have



confined her and nowhere she alleged that who used to assault her and both the petitioners and the complainant/informant are neighbours and the material collected during investigation shows that both parties have filed false case of kidnapping against each other.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, let petitioners, above named, in the event of arrest or surrender within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-VI, Katihar, in connection with Azam Nagar P.S. Case No. 144 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition that one of the bailors of the petitioners shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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