

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78516 of 2018

Arising Out of PS. Case No.-165 Year-2018 Thana- BHAGWANPUR District- Vaishali

Md. Ainul Khan @ Md. Ainur Khan @ Ainul @ Md. Anul @ Langra son of
Md. Mastan, resident of Village Prataptand West , P.S. Bhagwanpur, Dist
Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand

For the Opposite Party/s : Mr. Braj Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 22-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Bhagwanpur P.S. Case No. 165
of 2018 registered for the offence punishable under Sections 363
and 366(A) of the Indian Penal Code.

Informant has alleged that on 16.09.2018 at 10 p.m.,
F.I.R. named accused entered his house and forcibly took away
his minor daughter, Pinki Kumari on the strength of arms and
also took away Rs.25,000/- and other jewelries kept in the
house.

It has been submitted on behalf of the petitioner that
the girl was recovered and in her statement recorded under
Section 164 Cr.P.C. she has not levelled allegation against the
petitioner. It has further been submitted that after investigation,



the police has found the case to be untrue against the petitioner and has not submitted charge-sheet against the petitioner. Petitioner has no criminal antecedent and he is in custody since 19.09.2018.

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/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Vaishali, Hajipur in connection with Bhagwanpur P.S. Case No. 165 of 2018, 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 absence on two consecutive dates without sufficient reason, 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)

Sanjay/-

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