

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27019 of 2019

Arising Out of PS. Case No.-234 Year-2018 Thana- HAJIPUR District- Vaishali

Md. Aslam, S/o Md. Ayub, R/o Village-Hathsarganj, P.S. Hajipur Town,
District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Umanath Mishra

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 30-04-2019 Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in connection with
Hajipur Town P.S. Case No. 234 of 2018 registered for the
offence punishable under Sections 365, 366(a), 307, 452/34 of
the Indian Penal Code and Section 27 of the Arms Act.

One Sunil Rai is said to have kidnapped the minor
daughter of the informant while she had gone to coaching.
Subsequently, she escaped away. Later on, while she was
sleeping in her house, said Sunil Rai along with several other
accused persons including the petitioner intruded into her house
and forcibly took her away and on protest, Sunil Rai resorted
firing on the leg of the informant.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the aforesaid occurrence.
He has been falsely implicated in this case. Victim in her



statement recorded under Section 164 Cr.P.C. has not taken the name of the petitioner in the occurrence rather Sunil Rai. Allegation levelled against the petitioner is not specific rather general and omnibus. Petitioner has no criminal antecedent. Similarly situated co-accused, namely, Golu Kumar has been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 19.02.2019 passed in Cr. Misc. No. 7284 of 2019.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In 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 four 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 learned C.J.M., Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 234 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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