

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35860 of 2019

Arising Out of PS. Case No.-104 Year-2019 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Arshad Ali Son of Merazuddin Resident of Village- Chauki Hasan, P.S.- G.B.
Nagar, Tarwara, District- Siwan. Petitioner/s

Versus

The State Of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr.Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 28-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 15.04.2019 has
filed the instant application for grant of bail in connection with
G. B Nagar P.S. Case as No. 104 of 2019 registered for the
offence punishable under section 363A of the Indian Penal
Code.

As per the allegation in the FIR, the minor daughter of
the informant went missing. On enquiry by the informant, it
transpired that she had been taken away by one Isharafil Ali in a
car. He further states that on enquiry he came to know that all
the family members including the petitioner who happens to be
the brother of the said Isharafil Ali, kidnapped his daughter
with wrong intention.

It is submitted by learned counsel for the petitioner
that the daughter of the informant was recovered and her
statement was recorded under section 164 Cr.P.C. which has



been brought on record as Annexure 2 to the bail application. She has not named the petitioner in the said statement. He further submitted that the victim girl was recovered from the possession of one Manoj Nut. The petitioner is in custody since 15.04.2019 and has no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that the daughter of the informant was recovered from the possession of Manoj Nut, she has not named the petitioner in her statement under section 164 Cr.P.C and that the petitioner is in custody since 15.04.2019, the Court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with G.B. Nagar P.S. Case No. 104 of 2019.

(Partha Sarthy, J)

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