

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43702 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- PUPRI District- Sitamarhi

MD.SHOUKAT @ SAUKAT Son of Abdul Manaf Nadaf Resident of Village
- Bel Mohan, P.s.- Pupri, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Nityanand

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

ORAL ORDER

3 09-09-2019 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

Petitioner apprehends his arrest in connection with
Pupri P.S. Case No.13/2019 registered for the offence
punishable under Sections 363, 366(A)/34 of the Indian Penal
Code.

The daughter of the informant is said to have been
kidnapped by the petitioner and one Md. Kamre Alam by
Scorpio vehicle by pressing her mouth.

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 the case due to dirty village
politics and dispute of passage between the parties. There is no



eyewitness of the occurrence. The petitioner has no criminal antecedent.

On the other hand, learned APP and learned counsel for the informant opposed the bail prayer of the petitioner and submitted that the informant happens to be eyewitness to the occurrence and victim in her statement recorded under Section 164 Cr.P.C. has stated that three accused persons including the petitioner have kidnapped her by pressing her mouth, hence the petitioner does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer is rejected.

However, petitioner is directed to surrender before the learned court below within six weeks and learned court below shall pass order in accordance with law considering the facts and circumstances of the case without being prejudiced by this order.

(Prakash Chandra Jaiswal, J)

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