

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 47228 of 2019

Arising Out of PS. Case No.-31 Year-2018 Thana- RAUTA District- Purnia

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Md. Mojamml @ Md. Mujammil Son of Hatim @ Md. Hatim Resident of
Village - Chilhani Pokharia, P.S.- Rauta, District – Purnea ... Petitioner

Versus

The State of Bihar

... Opposite Party

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Appearance :

For the Petitioner : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party : Ms/Mrs Madhuri Lata, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 06-11-2019 Instant bail application has been listed by the Registry under the heading “To be Mentioned”, though the same bail application has already been dismissed on merit.

Bail application of the petitioner has already been dismissed on merit by this Court vide order dated 24.10.2019, but due to inadvertence, in place of order of dismissal, order adjourning the matter for 04.11.2019 has been typed and pronounced.

Learned counsel for the petitioner as well as learned Additional Public Prosecutor representing the State do not controvert the aforesaid factual position.

In that view of the matter, let order dated 24.10.2019 be read to the effect as follows:-

The petitioner is an accused in a case registered for the offence punishable under sections 341, 323, 363, 366, 379, 385, 504 and 34 of the Indian Penal Code on the allegation that he along with one Md. Kamrul forcibly kidnapped 22 years old daughter of the informant when she was grazing her she-goat in the field and demanded Rs. 2 lacs for her release. It is said that the victim is still traceless.

Learned counsel for the petitioner submits that the allegation of kidnapping is false as the victim is herself 22 years



old and was in love with the petitioner. Petitioner has no criminal antecedent.

Learned counsel for the State, on going through the case diary, submits that there is serious allegation against the petitioner. Moreover, the victim has not yet been recovered.

In view of the nature of the allegation as well as the fact that the victim is still traceless, prayer for bail of the petitioner is rejected.

Shashi

(Prabhat Kumar Singh, J)

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