

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49990 of 2019

Arising Out of PS. Case No.-695 Year-2018 Thana- KISHANGANJ District- Kishanganj

1. MD. JAMAL @ JAMAL Son of Late Md. Asaharu @ Asaru Resident of Village- Ghat Babhantoli, P.S.- and District- Kishanganj.
2. Md Jahid @ Jahid Son of Late Ajmudin Resident of village Ghat Babhantoli, P.S. and District- Kishanganj.
3. Farid @ Md Farid Son of Late Bachcha @ Bachcha Nunav Resident of village Ghat Babhantoli, P.S. and District- Kishanganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-08-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kishanganj P.S. Case No. 695 of 2018 for the offence punishable under Sections 363, 341, 323, 354, 366(A) and 504/34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners has submitted that this false case has been instituted as an aftermath of an earlier case lodged by co-accused Md. Jahid @ Jahid, on 15.10.2018. The present First Information Report has been lodged on 11.11.2018. He has further submitted that the allegation of kidnapping is absolutely false.

Learned counsel appearing on behalf of the informant, on the other hand, has opposed the prayer for anticipatory bail and has submitted that the victim is still traceless.



Be that as it may, considering the circumstance that the occurrence is relatable to something, which had happened on 10.10.2018, whereafter a First Information Report was lodged on 15.10.2018 by Md. Jahid @ Jahid (petitioner No.2), this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kishanganj, in Kishanganj P.S. Case No. 695 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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