

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53783 of 2019

Arising Out of PS. Case No.-98 Year-2019 Thana- BELAGANJ District- Gaya

MD. NABI ALAM, aged about 47 years, Male, Son of Sahud Alam, Resident
of Village- Nimchak, Belaganj, Police Station- Belaganj, District- Gaya
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : M/s Syed Asgher Najmi & Alok Kumar, Advs.
For the Opposite Party : Mr. Dr. Indihar Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 27-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Belaganj P.S. Case No. 98 of 2019 for the offences alleged
under Sections 363, 365 and 34 of the Indian Penal Code.

The accusation is that wife of the informant, along
with four children, proceeded from the house of informant, Md.
Kafeel, for her naiher, but, she did not reach there. In course of
search, informant came to know that his wife, along with four
children, have been kidnapped by Md. Nafaz, with the help of
his parents, Md. Nabi Alam (petitioner) and Tara Khatoon
(mother).

The submission of the learned counsel for the
petitioner is that it would appear from the first information
report that the informant is not the eye witness of the occurrence



of kidnapping of his wife and four children. More over, allegation of kidnapping of wife of informant and four children is against Md. Nafaz. The petitioner, being the father of Md. Nafaz, has falsely been implicated in this case. Petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Belaganj P.S. Case No. 98 of 2019 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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