

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60623 of 2019

Arising Out of PS. Case No.-241 Year-2019 Thana- CIVIL LINE District- Gaya

Jabed @ Javed, S/o Kalim @ Md. Kalimuddin R/o Village/Mohalla-
Ghughari Tand, P.S.- Vishnupad, District- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Civil
Lines P.S. Case No.241 of 2019, instituted for the offence under
Section 365 of the Indian Penal Code.

The allegation in the FIR are indicating the offence
against the husband of the victim who is traceless, namely, Anil.
The victim's SIM was recovered from the petitioner's mobile
and on suspicion, he has been taken into custody.

From the order of the Court below rejecting the
petitioner's prayer for bail, it is apparent that in para 28 of the
case diary, it has been disclosed that petitioner is using the SIM
which he had found in a train which has now been lost. He has



specifically said that he did not complain regarding the said loss as the same was stolen which suggests on such suspicious, he has been ropped in the instant criminal case.

It is submitted that petitioner has no criminal antecedents and he is young boy about 19 years old and he is in custody since 17.06.2019.

Learned APP for the State opposed the prayer for bail.

Having considered the rival submissions of the parties and the fact that apart from the petitioner's statement in para 28 of the case diary, nothing in the investigation to suggest the petitioner's involvement in the crime, therefore, the prayer for bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya, in connection with Civil Lines P.S. Case No.241 of 2019, subject to the following conditions :-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court, if there is any change in the



address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

sanjeev/-

(Madhuresh Prasad, J)

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