

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77933 of 2018

Arising Out of PS. Case No.-165 Year-2017 Thana- BHAWANIPUR District- Purnia

Md. Irsad S/o Md. Hanif , R/o Vill.- Hathiyada, P.S.- Bihariganj, District-Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Sri Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 24-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Sessions Trial No. 329 of 2017 arising out of Bhawani Pur (Baliya O.P.) P.S. Case No. 165 of 2017** registered for the offence punishable under Sections 365, 370, 372, 34 of the Indian Penal Code and Section 5 of Immoral Traffic Act.

Allegation against the petitioner is of kidnapping the daughter of Informant for prostitution.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to village politics. It has been further submitted that the occurrence is of 08.06.2017 but FIR was instituted on 23.06.2017 after delay of 14 days. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order



dated 22.06.2018 in Criminal Miscellaneous No. 18587 of 2018.
Petitioner has got no criminal antecedent and is in custody since
24.06.2017.

Considering the aforesaid facts and circumstances of
the case, let the petitioner named above be released on bail upon
furnishing bail bond of Rs. 10,000/- with two sureties of the like
amount each to the satisfaction of learned **1st Additional
Sessions Judge, Purnea**, in connection with **Sessions Trial No.
329 of 2017 arising out of Bhawani Pur (Baliya O.P.) P.S.
Case No. 165 of 2017**, with following conditions:-

(1) Bailors should be local having sufficient
immovable property within the jurisdiction of the court
concerned.

(2) Petitioner shall co-operate in the trial and shall
be properly represented on each and every date fixed by the
court and shall remain physically present as directed by the
Court and his absence on two consecutive dates without
sufficient reason, his bail bond shall be cancelled by the court
below.

(3) If the petitioner tampers with the evidence or
the witnesses of the case, in that case, prosecution will be at
liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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