

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20508 of 2020

Arising Out of PS. Case No.-204 Year-2018 Thana- PURAINI District- Madhepura

Manobar Mian @ Md. Manoubar @ Md. Manowar @ Manowar Mian @ Md.
Manowar Mian, Son of Md. Yakub @ Md. Yakub Mian Resident of Village -
Sapardah Kelawari, P.S.- Puraini, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

5 27-11-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection with Puraini P.S. Case No.204 of 2018, registered for the offence punishable under Sections 363, 266, 307, 324/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation has been made that in order to commit crime of kidnapping of victim girl, the accused persons, namely, Subhash Thakur, Munna Mian and Pawan Mandal along with three unknown persons had forcibly entered into the house and had tried to kidnap the daughter of the informant, whereupon, alarm was raised, thereafter, the son and daughter-in-law of the informant had arrived there, whereupon co-accused Subhash Thakur had started firing in which informant's son and daughter were injured. The victim was also recovered by the police later



on.

Counsel for the petitioner submits that he has not been named in the FIR. His name has come during investigation and he has placed reliance on paragraphs 30, 43 and 44 of the case diary and statement made under Section 164 Cr.P.C. The victim girl has specifically taken the name of the petitioner to have caused bullet injury on her mother, sister and brother and they forcibly took away the victim girl without her consent.

Counsel for the petitioner has placed reliance on the order passed in the case of Pankaj Yadav and Munna Mian. From the order, it appears that the Court has no opportunity to examine the case diary and passed the order accordingly, wheeas from the case diary, it appears that the petitioner was one of the person, who was participating in the kidnapping and whoever came to rescue the victim girl, they were fired and injured inasmuch as the case has been lodged on 2.11.2018 but has has surrendered on 02.02.2020.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

(Shivaji Pandey, J)

V.K.Pandey/-

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