

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18862 of 2020

Arising Out of PS. Case No.-331 Year-2019 Thana- NAUGACHIA District- Bhagalpur

AKHTAR ALAM, Gender-Male, aged about 46 years, S/o S.K. Jalil, R/o village- Ujani, P.S.- Naugachia, Distt.- Bhagalpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Rajesh Kumar, Advocate.

For the Opposite Party : Mr.Dilip Kumar No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 03-09-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 363, 365 and 370 of the I.P.C.

The prosecution story, in brief, is that the informant’s son, namely, Pintu Kumar and her grand-son, namely, Sintu Kumar had gone to attend their School but they did not return to their home. During the course of search, she came to know that her son and grand-son were sitting at Naugachia Police Station. Thereafter she went there and asked from them about it. They



said that the person apprehended by the police and detained in the police station, has taken away them by the side of the Railway Platform and had offered them *Litti* and had stated that he shall provide them good job and good money and took away towards *Bus Stand* and forcibly sitted them on a *Tempo*. He also threatened them not to raise any *hulla* otherwise he would kill them. Anyhow, both boys raised alarm, then nearby people came and saved them. She went towards the *Bus Stand* and verified the aforesaid facts. On verification, she knew that the apprehended person was Akhtar Alam (petitioner) who has kidnapped their son and grand-son.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 11.09.2019. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is a handicapped person. He used to sell *peanut* at the Tempo Stand where due to payment, some scuffle had taken place. The allegation made in the F.I.R. is denied by the petitioner. He has remained in custody for about one year.

On behalf of the learned counsel for the State, it has



been submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, is directed to be released on bail on his personal bond to the satisfaction of the learned 4th Additional District and Sessions Judge, Naugachia, Bhagalpur, in connection with S.T. No. 699/2019, corresponding to Naugachia P.S. Case No. 331/2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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