

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58209 of 2019

Arising Out of PS. Case No.-42 Year-2019 Thana- BALIGAON District- Vaishali

MD. MOFIZ @ MD. MOFIZ ALAM Son of Md. Maksud Resident of
Village- Akhtiyarpur Doghra, P.S.-Baligaon, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmesh Kumar

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-01-2020 Petitioner seeks bail in connection with Baligaon P.S.

Case No. 42 of 2019 registered for the offences punishable
under Sections 363, 365 and 366A/34 of the Indian Penal Code.

As per FIR there is allegation against the petitioner of
kidnapping of minor daughter of the informant.

Submission of learned counsel for the petitioner is
that though it appears from the FIR that she was recovered by
Railway Police but no FIR was registered by Railway Police but
after recovery of the girl the present case has been filed. It is
further submitted that statement of the victim recorded under
Section 164 Cr.P.C. shows that she was recovered by the police
and handed over to the informant and she has named two
persons, including one driver Mister, who has been granted
anticipatory bail by a co-ordinate Bench of this Court by order



dated 13.9.2019 passed in Cr.Misc.No. 57975 of 2019.

Heard learned APP, who has opposed the prayer for bail on the ground that petitioner is the main accused and witnesses have also supported the prosecution case during investigation and moreover the girl is minor.

In view of above facts and circumstances, I am not inclined to grant bail to the petitioner at this stage.

However, once charge has been framed against the petitioner and other accused persons, petitioner is at liberty to renew his prayer for bail.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

spal/-

U		T	
---	--	---	--

