

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14886 of 2021**

Arising Out of PS. Case No.-196 Year-2020 Thana- BAHADURGANJ District- Kishanganj

MUSTAQUEEM Son of Ahmad Hussain Resident of Village- Moudho Vebra
@ Modho Bhebra, P.S.- Kochadhaman in the District of Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv
For the Opposite Party/s : Mr. Braj Kishore PD., APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 10-09-2021 In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Bahadurganj P.S. Case No. 196 of 2020 registered under Sections 366 and 34 of the Indian Penal Code.

The informant has alleged that his sister has been



kidnapped by the instant petitioner.

It is submitted by the petitioner's counsel that the petitioner has no criminal antecedent. Having regard to statement of alleged victim recorded under Sections 161 and 164 Cr.P.C. the matter has been compromised between the parties as the victim has stated that on her own volition she was residing with the petitioner (*Behnoi*) for the last few days. Under such mistaken circumstances the FIR has been lodged. The petitioner is however in custody since 21.7.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in Bahadurganj P.S. Case No. 196 of 2020, 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.

(Madhuresh Prasad, J)

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