

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36901 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- KANHAULI District- Sitamarhi

MUMTAZ ANSARI @ MUMTAJ ANSARI @ MOMTAJ ANSARI S/O
ZAMIL ANSARI @ JAMIL ANSARI R/O VILLAGE-BANDARJHULA,
P.S-SONBARSA, DISTRICT-SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mrs. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 366(A)/34 of the Indian Penal Code.

As per the prosecution case, this petitioner along with other accused persons kidnapped the daughter of informant.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. The victim in her statement u/s 164 of the Cr. P. C. has not named this petitioner as one of the persons who kidnapped her. The victim stated her age to be 19 years. Thrust of accusation is against co-accused, Hasibul Ansari and petitioner has been implicated in this case only because he is brother of Hasibul Ansari. Petitioner claims clean antecedent and is in custody



since 21.02.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Gurudutt Shiromani, Judicial Magistrate, 1st class, Sitamrarhi in connection with Kanhauli PS case No. 28/2021 on the following conditions:-

(1) 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 on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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