

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29003 of 2020

Arising Out of PS. Case No.-317 Year-2018 Thana- WAJIRGANJ District- Gaya

SAMIM ALAM @ MD. SAMIM Son of Gulam Alam @ Gulam Miya
Resident of Village- Kurkihar, Police Station- Wazirganj, District- Gaya.
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehend his arrest in connection with
Wazirganj P.S. Case No. 317/2018 registered for the offences
punishable under Sections 366(A) of the Indian Penal Code.

As per the prosecution case, on 04.10.2018 at 09:00
A.M., informant's niece, namely, Kajal Kumari went for tuition
but did not return. On query, the informant came to know that
this petitioner along with other co-accused persons have
kidnapped the said niece of the informant.

It is submitted on behalf of petitioner that there is
general and omnibus allegation against all the accused persons
for kidnapping the niece of the informant. In fact, the girl
herself returned back and then she gave her statement in which
nothing incriminating has come against this petitioner. It is



further submitted that in the present case, the trial of Raja Alam and Imteyaz Alam was separated and during the the trial, the victim has been examined and she clearly denied the prosecution case (Annexure-3). The petitioner has got clean antecedent as stated in paragraph No. 3 of the petition.

Considering the aforementioned facts and circumstances and deposition of the victim girl, the bail application of this petitioner is allowed. Let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, 1st, Gaya, in connection with Wazirganj P.S. Case No. 317/2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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