

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9537 of 2021

Arising Out of PS. Case No.-139 Year-2020 Thana- BHELDI District- Saran

1. Niyajuddin Son Of - Rajadin Village - Shraibax , P.S- Bheldi, District- Saran At Chharpra
2. Rajadin Son Of - Allah Miya Village Shrabax, Ps Bheldi, District Saran At Chhapra
3. Sima Khatoon Wife Of - Rajadin Village - Shraibax , P.S- Bheldi, District- Saran At Chharpra
4. Arif Alam Son Of - Shalid Alam Vill- Shikarpur , P.S - Sonpur , Dist - Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-07-2021 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard both parties.

The petitioners seek bail in Bheldi P.S. Case No. 139 of 2020, registered for the offence punishable under Sections 363, 366, 366A, 379/34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, on the alleged date and time of occurrence, six accused persons including these



petitioners armed with deadly weapon entered into the house of informant and on the point of pistol kidnapped the minor daughter of the informant and co-accused Afzal opened fire and fled away.

It is submitted on behalf of the petitioners that from bare perusal of FIR, it appears that specific allegation of kidnapping is against Afzal Mansuri who is alleged to have kidnapped the minor daughter of informant and looted cash and other articles of the informant. Petitioners are simply members of the mob and there is general and omnibus allegation. During course of investigation, co-accused Afzal Mansuri was arrested and the victim girl was recovered. Petitioners are in custody since 30.07.2020 having clean antecedent.

Considering the facts and circumstances of the case, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Saran at Chhapra in connection with Bheldi P.S. Case No. 139 of 2020, subject to following conditions:-

(i) The petitioners 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 in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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