

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11558 of 2022

Arising Out of PS. Case No.-228 Year-2019 Thana- JOKIHAT District- Araria

MD. ISHTIYAQUE @ NANNHA S/o Mangtu @ Md. Mangtu Resident of
Village- Matiyari, P.S.- Jokihat, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gopal Kumar Jha
For the State	:	Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office be removed within four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Jokihat (Mahalgaon) P.S. Case No. 228 of 2019 registered for the alleged offences under Sections 323, 363, 372 and 120 (B) of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely on suspicion. The petitioner has nothing to do with the alleged occurrence. The informant has named the husband, the father and step-mother of the victim girl as co-accused. The co-



accused father has been granted bail vide order dated 22.06.2021 passed in Cr. Misc. No. 4577 of 2021. The co-accused husband has been allowed privilege anticipatory bail vide order dated 22.07.2021 passed in Cr. Misc. No. 37597 of 2020. The case of the petitioner is similarly placed. Charge sheet has been submitted and petitioner is in custody since 24.12.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submitting that the petitioner is involved in selling the grand-daughter of the informant and she is yet to be recovered.

Having regard to the submissions made hereinabove and considering the fact that similarly co-accused have already been granted privilege regular/ anticipatory bail by Coordinate Bench of this Court and further considering the fact that there is general and omnibus allegation against the petitioner and other co-accused persons along with the fact that Charge sheet has been submitted and petitioner is in custody since 24.12.2021, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Jokihat (Mahalgaon) P.S. Case No. 228 of 2019, subject to the following conditions :

(i) One of the bailors will be a close relative of the



petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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