

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19947 of 2022

Arising Out of PS. Case No.-118 Year-2020 Thana- BALIGAON District- Vaishali

MD. SHAHBAZ @ SHABBAZ ALAM @ MD. SHAHBAZ ALAM @ MD.
SHAHBAZ ALAM Son of Md. Patehuddin Resident of Village- Akhitiyarpur,
Doghara, P.S.- Baligaon, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 363 and 366(A)/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that earlier
by order dated 16.12.2021 in Cr. Misc. No. 18661 of 2021, the
bail of the petitioner was rejected on the ground that the minor
girl, aged about 15 years, has still not been recovered and is
traceless and it has come during the course of investigation that
the petitioner was instrumental in kidnapping the minor girl.
Learned counsel for the petitioner further submits that



subsequent to passing of the order dated 16.12.2021 in Cr. Misc. No. 18661 of 2021, the girl on her own volition came back and got her statement recorded under Section 164 Cr.P.C. (Annexure-3 to the bail application) wherein she has completely negated the prosecution case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 06.10.2020, is a person with clean antecedent and charge-sheet has been submitted and the minor girl has not supported the prosecution case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with S.Tr. No. 206 of 2021 arising out of Baligaon P.S. Case No. 118 of 2020.

(Satyavrat Verma, J)

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