

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37501 of 2021

Arising Out of PS. Case No.-207 Year-2020 Thana- KUDHNI District- Muzaffarpur

MD. SAMSER @ MD. SUDDU Son of Late Md. Sabir Resident of Village-
Sakri Saraiya, P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Prasad

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 25-07-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 363, 366A/34 of the Indian Penal Code.

As per the prosecution case, this petitioner alongwith co-accused persons are alleged to have kidnapped the minor daughter of the informant.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case due to the fact that the informant has taken loan of Rs. 50,000/- from the father of petitioner and does not want to return the same and as such, he has lodged a false case against petitioner and others. F.I.R. has been lodged after a delay of 16 days, which itself casts doubt on the veracity of the prosecution case. During course of



investigation, the victim girl has already been recovered by the police from Shanti Sewa Kutir, Muzaffarpur. It is further submitted that there is no allegation of any sexual assault against this petitioner. Petitioner has got clean antecedent.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- I (West) cum Sub Judge – I, Muzaffarpur in connection with Kudhani P.S. Case No. 207 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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