

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34543 of 2022

Arising Out of PS. Case No.-394 Year-2021 Thana- NATHNAGAR District- Bhagalpur

Md. Jasim S/o Md. Zakir Resident of Village- Dariyapur, P.S.-
Madhusudanpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Masleh Uddin Ashraf, Adv.

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 16-09-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner through
virtual mode.

The petitioner seeks regular bail in connection with
S.T. No. 323/2022 arising out of Nathnagar (Madhusudanpur)
P.S. Case No. 394 of 2021 lodged under Sections 366/34 of the
I.P.C.

As per the prosecution case, the allegation of
kidnapping of the daughter of the informant along with the
jewelry and cash is there in the F.I.R.

Learned counsel for the petitioner submits that from
the narration of the F.I.R. itself it transpires that the alleged
daughter of the informant is aged about 24 years, who eloped

with the petitioner along with the jewelry. Learned counsel for the petitioner submits that at least it must be not be the case of kidnapping. He further submits that the alleged occurrence has taken place on 16.07.2021 but F.I.R. has been lodged on 18.07.2021. The girl fell in love with the petitioner, she is a major. He further submits that petitioner is in custody since 10.01.2022 having clean antecedent and charge sheet has already been filed in this case.

No one appeared on the behalf of the State.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge Vigilance (Trap Case), Bhagalpur in connection with Nathnagar (Madhusudanpur) P.S. Case No. 394 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of

his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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