

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34627 of 2022

Arising Out of PS. Case No.-84 Year-2022 Thana- JOGBANI District- Araria

Md. Jahangir, Son Of Md. Rahim R/O Village- Tappu Tola Pipra, Ward No.-
11, P.S.- Jogbani, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nafisuzzoha, Advocate
For the informant	:	Mr. Madhav Jha, Advocate
For the State	:	Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-09-2022 Heard learned counsel for the petitioner, the State and
the learned counsel for the informant.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The case is registered under Sections 363, 366 of the
Indian Penal Code in connection with Jogbani P.S. Case
No.84/2022.

As per the allegation in the FIR the informant has
alleged that the petitioner took away his wife and children and
despite search, she could not be located. Accordingly, FIR was
lodged.

Learned counsel for the petitioner submits that he is
24 years old while the lady in question is 31 years old and a
normal movement with the lady has been given a different
colour inasmuch as the informant himself alleged the matter of



07.03.2022 whereas the FIR has been lodged on 16.03.2022. Only because he has criminal antecedent he has been implicated.

Per contra, learned counsel for the informant submits that it was the petitioner herein who has taken away the wife of the informant. He however concedes that she has since returned to his home along with children.

Taking into account the fact that he is in custody since 22.03.2022, charge-sheet stands submitted, this Court is inclined to grant him privilege of bail after framing of the charges in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail after framing of the charges on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Jogbani P.S. Case No.84/2022 to the satisfaction of learned A.C.J.M., Vth, Araria, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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