

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36265 of 2022

Arising Out of PS. Case No.-25 Year-2020 Thana- BALIGAON District- Vaishali

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Md. Darud Alam @ Md. Daud Alam @ Md. Darud, Son of Karim Miyan @
Md. Karim, Resident of Village-Basantpur Gaus, Mehasi, P.S.-Sakara,
District-Muzaffarpur, Pin Code-843105 (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Baligaon P.S. Case No. 25 of 2020, lodged under Sections
363/366(A) of the Indian Penal Code.

As per the prosecution case, the allegation of
kidnapping of the informant's daughter is there in the F.I.R.

Learned counsel for the petitioner submits that the
entire case is false, the alleged victim has not been kidnapped,
rather she herself visited to different places. Learned counsel for
the petitioner further submits that victim has recorded her

statement under Section 164 of Cr.P.C. in which she has supported the version of F.I.R. Learned counsel for the petitioner further submits that petitioner is in custody since 08.02.2022, charge sheet has already been filed and antecedent of petitioner is clean.

Learned counsel for the State opposes the prayer for bail.

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 Chief Judicial Magistrate-16, Vaishali at Hajipur in connection with Baligaon P.S. Case No. 25 of 2020, 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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