

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47410 of 2021

Arising Out of PS. Case No.-265 Year-2020 Thana- BARSOI District- Katihar

MD. MOZAKKIR @ Md. MUZKKER ALAM Son of Late Hamidur Rahman
Resident of Village- Jokalbari, P.S.- Barsoi (Kachna), District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 366, 366A, 504, 506 and 34 of the Indian Penal Code.

As per the prosecution case, the two accused persons including the petitioner herein along with their two friends forcibly made the grand daughter of the informant sit on the motorcycle of the accused Md. Taiyab and kidnapped her.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The grand daughter of the informant returned and her statement was recorded under section 164 Cr.P.C. which is Annexure-2 to this petition. She has stated therein that she voluntarily went with



Md. Taiyab. The cause of false implication of the petitioner is for the reason of his being the younger brother of the accused Md. Taiyab. The petitioner is in custody since 3.12.2020 and has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the contents of the statement section 164 Cr.P.C., the petitioner not having any criminal antecedent and having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Barsoi (Kachna O.P.) P.S. Case no. 265 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM 1st , Katihar.

(Partha Sarthy, J)

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