

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49823 of 2021

Arising Out of PS. Case No.-95 Year-2021 Thana- PATEPUR District- Vaishali

MD. ZUBER Son of Md. Anwar Resident of Village- Salempur Salkhani,
P.S.- Patepur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Vardhan Narayan, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363 and 366 of the Indian Penal Code.

As per the prosecution case, the allegation against the petitioner and others is of having kidnapped the minor daughter of the informant.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case which would be evident from the fact that on return the statement of the daughter of the informant was recorded under section 164 Cr.P.C which has been brought on record as Annexure 2 to the petition. She has categorically stated therein that she had gone to her sister's place, she was not kidnapped and her mother has



lodged an FIR under a wrong impression. It is submitted that the petitioner is in custody since 14.5.2021 and final form (Annexure 3) has been submitted by the Investigating Officer.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the contents of the statement under section 164 Cr.P.C of the daughter of the informant, the final form submitted in the case and the petitioner having remained in custody for over 9 months, the Court directs the petitioner to be enlarged on bail in connection with Patepur P.S. Case no. 95 of 2021 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 Addl. Chief Judicial Magistrate III, Vaishali at Hajipur.

(Partha Sarthy, J)

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