

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40809 of 2022

Arising Out of PS. Case No.-226 Year-2022 Thana- CHIRAIYA District- East Champaran

1. MD. HASMULLAH Son of Jhakar Mian @ Japhruddin Resident of village-Bhaluahi, P.S- Shikarganj, District- East Champarn
2. Jhakar Mian @ Japhruddin Son of Late Ainul Mian Resident of village-Bhaluahi, P.S- Shikarganj, District- East Champarn
3. Rabeya Khatoon Wife of Jhakar Mian @ Japhruddin Resident of village-Bhaluahi, P.S- Shikarganj, District- East Champarn

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-11-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offence punishable under Sections 363 and 366/34 of the IPC.

As per the prosecution case, there is specific accusation against this petitioner that he kidnapped the minor daughter of the informant.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. They have been made accused in this



case merely because they happen to be the family members of the said co-accused Md. Nizam. It is further submitted that during trial of S.T. No. 1097 / 2022 the victim has denied the prosecution case and categorically stated that at the alleged time of occurrence she had gone to her mama's house and no one has kidnapped her. Petitioners have got no criminal antecedent.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the statement of the victim during trial, in the event of arrest/surrender within six weeks from today, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM IV, Sikrahana at Dhaka, East Champaran in connection with P.S. Case No. 226 of 2022 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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