

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58153 of 2021

Arising Out of PS. Case No.-72 Year-2021 Thana- HABIBPUR District- Bhagalpur

MD. JONY Son of Md. Badruddin Resident of - Chambelichak, Rabiya Colony, P.S. - Habibpur, District - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-03-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Sections 363 and 365 of the Indian Penal Code.

As per the F.I.R., this petitioner alongwith other F.I.R. named accused persons abducted son of the informant. It is also alleged that the accused persons have threatened the son of informant with dire consequences in past due to the fact that her son used to love daughter of co-accused Alam.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case only because of the fact that he is brother of co-accused Alam, with whose daughter son of the informant had love affairs. Petitioner lives separately and has got no concern with the matter. No material has come to show complicity of the petitioner in the aforesaid crime. Petitioner is in custody since 22.05.2021.



However, learned A.P.P. for the State and counsel for informant opposed the bail petition. It is submitted that this petitioner also used to threat the son of informant with dire consequences due to love affairs with Nisha (daughter of co-accused Alam). It is further submitted that there is every possibility of tampering of evidence, if the petitioner is released on bail.

Considering the nature of allegation, materials available on record and the fact that victim is still traceless, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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