

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10696 of 2023

Arising Out of PS. Case No.-18 Year-2022 Thana- MUNGER MUFFASIL District- Munger

Md. Sonu, Son of Md. Saheb, R/O Village- Mai Sikandarpur, P.S.- Mufassil,
District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Arpana Kumari, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-05-2023 Heard Ms. Arpana Kumari, learned counsel appearing
on behalf of the petitioner and the learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Mufassil P.S. Case No. 18 of 2022 registered for the offence punishable under Sections 363, 365, 366(A) of the Indian Penal Code.

The allegation against the co-accused person, including the petitioner, are alleged to have kidnapped the minor daughter of the informant.

Submission has been made on behalf of the petitioner that the occurrence took place on 15.01.2022, however, the FIR has been registered on 17.01.2022. Further after two days of the occurrence, the victim girl recovered and her statement was recorded under Section 164 Cr.P.C., where in, she has not made any allegation with regard to the commission of wrong or



physical abuse against the petitioner and others. Apart from the fact, from the statement of the victim, it appears that co-accused Md. Naushad and Uttam were the persons, who kept the victim in confine. It is next submitted that co-accused Md. Shahbaj @ Shaitaz against whom there was similar allegation, he has been allowed the privilege of bail by the learned co-ordinate Bench of this Court in Cr. Misc. No. 8102 of 2023 vide order dated 12.04.2023.

On the other hand, learned APP for the State vehemently opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the statement of the victim recorded under Section 164 Cr.P.C., apart from the fact that other co-accused persons having similar allegation has been allowed the privilege of bail, coupled with the fair antecedent of the petitioner and the period of custody since 19.01.2022, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – 1st, Munger in connection with Mufassil P.S. Case No. 18 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner



with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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