

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46214 of 2023

Arising Out of PS. Case No.-365 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

MD. RAZA @ MD. RAJA Son of Md. Yusuf Kadri Resident of Village-
Suratpur, P.S.-Samastipur Muffasil, District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Advocate
For the Opposite Party/s : Mr.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and State.

2. The petitioner is in custody in connection with
Muffasil P.S. Case No. 365 of 2021 for the offence under
Sections 363, 366A, 34 of the Indian Penal Code.

3. As per prosecution case, the daughter of the
informant aged about 17 years did not return in the morning and
she named some persons as having kidnapped her.

4. Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent and he is in custody
since 02.06.2023.

5. During investigation, the police found the case to
be false and fabricated and submitted Final Form, however, the
learned Magistrate has taken cognizance after differing with the
Final Form.



6. It has been submitted by learned counsel for the petitioner that similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court in Criminal Misc. Case No. 68312 of 2021 vide order dated 11.02.2022.

7. For the reasons mentioned in the order dated 11.02.2022 passed in Criminal Misc. Case No. 68312 of 2021, this bail application is also allowed.

8. Let the petitioner, above-named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-IIInd Class, Samastipur in connection with Muffasil P.S. Case No. 365 of 2021, subject to the condition that the petitioner would cooperate in the proceeding of the court below. In the event of failure to appear on two consecutive dates, the court below will be at liberty to pass appropriate order including cancellation of bail bonds of the petitioner.

(Sandeep Kumar, J)

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