

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56938 of 2022

Arising Out of PS. Case No.-241 Year-2022 Thana- KUSHESHWARASTHAN District-
Darbhanga

MD. MUSTAQUE Son of Md. Kayum R/V- Bishnupur, P.S- Kusheshwar
Asthan, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar Prasad
	:	Mr. Girish Chandra Jha
For the Opposite Party/s	:	Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 363, 365,
323, 504, 34 of the Indian Penal Code.

Allegation against the petitioner is that he along with
co-accused abducted the daughter of the informant and this
occurrence has been recorded by camera which was installed in
the house of one Tuntun Pathak.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. This
petitioner is friend of co-accused Navee Hussain due to which
he has falsely been implicated in this present case. The victim
stated in her statement recorded under section 164 of Cr.P.C.



that the petitioner took away her by kept a cloth on her mouth with the help of co-accused and she did not state about any commission of wrong by this petitioner. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 28.6.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in FIR and during investigation, witnesses have also supported the prosecution story.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kusheshwar Asthan P.S. Case No. 241 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Biraul in the district of Darbhanga.

(Sunil Kumar Panwar, J)

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