

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67623 of 2022

Arising Out of PS. Case No.-88 Year-2022 Thana- KHODAWANDPUR District- Begusarai

MD AMZAD ALAM SON OF MD BADSAH ALAM R/O VILLAGE-
PANSALLA, P.S.- KHODAWANANDPUR (CHHAURAH O.P.),
DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No.1, Adv.

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 366(A) and 34 of the Indian
Penal Code.

According to prosecution case, the petitioner along
with other co-accused persons namely, Amit Kumar Mahto,
Aditya Kumar and Mithun Kumar are said to have been
involved in the kidnapping of the minor daughter of the
informant.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that from bare



perusal of the F.I.R. it appears that the specific allegation of kidnapping of the daughter of the informant is against co-accused namely, Amit Kumar Mahto and the allegation against the petitioner is that he used to facilitate to talk co-accused namely, Amit Kumar Mahto on his mobile. He further submits that the petitioner is a mobile shopkeeper and he has no concern at all with the alleged occurrence and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 24.08.2022.

The learned Additional Public Prosecutor for the state on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Khodawanandpur P.S. Case No. 88/2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his



bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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