

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75424 of 2023

Arising Out of PS. Case No.-378 Year-2021 Thana- SITAMARHI District- Sitamarhi

Md. Akbar, aged about 40 years, Son Of Md. Amin Ansari, Resident Of
Village - Bhairo Kothi, P.S. - Sitamarhi, District - Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and learned
APP of the State.

2. The petitioner has preferred this application for
grant of regular bail in a case registered under sections 363,
364A and 120B of the Indian Penal Code.

3. As per the prosecution case, the infant daughter of
the informant went missing. It is submitted by learned counsel
for the petitioner that the FIR was registered against unknown
persons. The name of the petitioner transpired in course of
investigation when some witnesses named the petitioner and
others as being involved in the kidnapping and as per the said
information the victim was kept in the house of co-accused Md.
Salauddin. It is stated that when the raid was being conducted
by police officials, the informant's daughter was not recovered
from the said house of Md. Salauddin but was recovered in front



of the registry office. It is submitted that the prosecution is only relying on the confessional statement of the co-accused namely Md. Murad. The petitioner is in judicial custody since 17.8.2023, and similarly situated Co-accused namely Md. Murad and Md. Jafar have already been granted bail by coordinate Bench of this Court passed in Cr. Misc. No. 62307 of 2021 and Cr. Misc No. 67833 of 2021 respectively.

4. Having heard learned counsel for the parties and taking into consideration the materials on record, the informant's daughter not having been recovered from the custody of the petitioner but from a place in front of the registry office together with the petitioner having been remained in custody for two months and investigation in the case having concluded, the Court directs the petitioner to be enlarged on bail in connection with Sitamarhi P.S. Case no. 378 of 2021 (G.R. No. 2166 of 2021) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. II, Sitamarhi.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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