

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36866 of 2024

Arising Out of PS. Case No.-90 Year-2023 Thana- MANSURCHAK District- Begusarai

Md Shamsher @ Md Shamser Son of Md. Madan Kureshi Resident of Village- Mansoorchak, Darzi Tola, ward no.15, P.S. - Mansorochak, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with S.Tr. No.126 of 2024, arising out of Mansoorchak P.S. Case No.90 of 2023 lodged under Sections 366, 504, 506 and 34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been lodged against three named accused persons including the petitioner alleging that they in connivance with each other have kidnapped the daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that Annexure-P/2 of the bail petition is a document which is



statement of the victim in the trial in which she has categorically stated that that what she has narrated under section 164 of Cr.P.C, could not remember.

5. Counsel for the petitioner submits that petitioner is in custody since 15.09.2023 having clean antecedent.

6. Learned counsel for the State opposes the prayer for bail and submits that case diary, status of the case and statement of the victim has been called for.

7. In the statement of section 164 of Cr.P.C., she has alleged that under threat, she left with the petitioner. In the trial, it transpires to this Court that two witnesses have already been examined.

8. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

9. However, trial court is directed to conclude the trial as earliest as possible preferably within 6 months.

(Dr. Anshuman, J.)

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