

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76841 of 2023

Arising Out of PS. Case No.-373 Year-2022 Thana- MANJHI District- Saran

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ARBAZ KHAN, S/O ASLAM KHAN, R/O VILLAGE- GURDAHA
KHURD, PS. MANJHI, DISTRICT- SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Harish Kumar, Advocate
For the Opposite Party/s :	Mr. Shahabuddin Azeem @ S. Azeem, APP
	Mr. Mohit Shriwastava, Advocate
	Mr. Mahesh Chandra Verma, Advocate
	Mr. Abhishek Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

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| 3 | 29-02-2024 | <p>1. Heard learned counsel for the parties.</p> <p>2. The petitioner has preferred this application for grant of regular bail in connection with Manjhi P.S. Case no. 373 of 2022 registered under sections 363 and 366A of the Indian Penal Code.</p> <p>3. As per the prosecution case, the informant states that his daughter was kidnapped by one Md. Asif and other accused persons. He further states that an unknown person gave five telephone numbers asking the informant to talk on the same. The informant was further communicated that he should make payment of Rs.10 lacs or his daughter would be sold.</p> |
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4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. He was falsely implicated in the case in course of investigation only for the reason that he happens to be the full brother of the FIR named accused Md. Asif. It is a case of friendship between the daughter of the informant and the FIR named accused Md. Asif in which the petitioner has no role to play nor does any of the five mobile numbers mentioned in the FIR belong to him. He is in custody since 7.7.2023 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that the petitioner happens to be the full brother of the main accused and has played an active role in the occurrence.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the FIR, the material that has transpired in course of investigation, the petitioner being in custody for 7 months since 7.7.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Manjhi P.S. Case no. 373 of 2022 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 Judicial Magistrate Ist Class, Chapra,
Saran.

(Partha Sarthy, J)

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