

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7514 of 2025

Arising Out of PS. Case No.-42 Year-2024 Thana- AMAUR District- Purnia

Md. Kaishar @ Kaishar Alam Son of Sameer @ Sameeruddin, Resident of
Village - Machkattha, Police Station - Amour, District - Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Singh, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-03-2025 Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Amour P.S. Case No. 42 of 2024, registered for the offences
punishable under Sections 363, 366(A), 504 and 506/34 of the
Indian Penal Code .

3. As per the allegation made in the FIR, the petitioner
along with another co-accused, Md. Massom kidnapped the
daughter of the informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and he is the
co-villager. The victim at her own will had eloped with co-
accused, Md. Massom and the said Md. Massom has been
released on regular bail by a Co-ordinate Bench of this Court,



vide order dated 18.09.2024 passed in Cr. Misc. No.45831 of 2024. Learned counsel further submitted that the victim in her statement recorded under Section 164 Cr.P.C. has not taken the name of the petitioner.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the nature of the allegation made in the FIR against the petitioner and the statement of the victim girl recorded under Section 164 Cr.P.C. that the petitioner was driving the motorcycle on which the co-accused Md. Massom was holding her (victim), the petitioner has made out *prima facie* a case to be released on bail. The petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Purnea /concerned court, in connection with Amour P.S.Case No.42 of 2024, subject to conditions as laid down under Section 482(2) of BNSS of 2023

7. The learned district court is directed to verify the



criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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