

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21852 of 2015

Arising out of PS.Case No. -40 Year- 2015 Thana -SITAMARHI District- SITAMARHI

Firoz Baitha, Son of Sultan Baitha, resident of Village- Paroha, P.s Dumra,
District - Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Pushpendra Kumar Singh, Advocate.

For the Opposite Party : Mr. C. Sen Prasad Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-07-2015 The petitioner is apprehending his arrest in connection with Sitamarhi P.S. Case No. 40 of 2015 for the offences instituted under Sections 363 and 366(A) of the I.P.C.

Heard learned counsel for the petitioner and learned counsel for the State.

The prosecution story, in brief, is that the minor daughter of the informant, namely, Pooja Kumari, used to take tuition from Md. Faiyaz Baitha. It is alleged that on 15.01.2015 at 10.00 A.M. he took the minor daughter of the informant to Sitamarhi on the pretext to deposit papers in the School. The minor daughter of the informant did not return till evening, then the informant started to search her and learnt that her daughter was seen on tempo alongwith Md. Faiyaz and these petitioners in the



by-pass. It is further alleged that on the next day while searching his minor daughter, he met with one Shatrughan Sah and he also told that he had seen minor daughter of informant going with Md. Faiyaz and other 5-6 persons on tempo towards Dumra. It is further alleged that informant went to the house of Md. Faiyaz but neither minor daughter nor Md. Faiyaz was found there. He met with family members (these petitioners) and made complain, to which all these petitioners abused the informant and they gave threat that if the informant will file case, they would get his minor daughter Pooja Kumari killed. The informant searched his daughter for 4-5 days but could not get any trace.

It has been submitted on behalf of the petitioner that the main allegation is against Md. Faiyaz and not the petitioner. It is further submitted that other co-accused have already been granted anticipatory bail vide Annexure-2 to the present application.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid fact that other co-accused have been granted anticipatory bail, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Sitamarhi P.S. Case No. 40 of 2015 on

furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)