

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40218 of 2014

Arising Out of PS.Case No. -138 Year- 2013 Thana -SAHIYARA District- SITAMARHI

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Jitendra Sah, son of Ganeshi Sah, R/o village-Tedhiya Ward No. 4 P.S.
Sahiyara, District-Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Anuj Kr.Srivastav(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 23-07-2015 The petitioner figured as accused in Sahiyara P.S. Case No. 138 of 2013, wherein offences punishable under sections 372, 373 and 379 read with section 34 of the Indian Penal Code were alleged. The petitioner filed A.B.P. No. 1197 of 2014 in the court of Sessions Judge, Sitamarhi. The same was dismissed on 1-9-2014. Hence, this petition.

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

From a perusal of the F.I.R. it is evident that the grievance of the informant was that his daughter was taken away by the petitioner herein. Across the Bar, it is stated that the couple is also blessed with children. Under these circumstances, the petitioner cannot be arrested.

Hence, the petition is allowed. It is directed that in

the event of arrest, the above named petitioner shall be enlarged on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi, in connection with Sahiyara P.S. Case No.138 of 2013, subject to the conditions as laid down under section 438(2) Cr.P.C.

(L. Narasimha Reddy,CJ)

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