

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21740 of 2015

Arising Out of PS.Case No. -532 Year- 2013 Thana -BHABHUA District- BHABHUA (KAIMUR)

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Kalendra Kharwar Son of Late Vishwanath Kharwar Resident of village -
Rehi, P.S. Shivsagar, District - Rohtas at Sasaram

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Mr. Sucheta Yadav (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-09-2015

Heard both sides

The petitioner seeks bail in a case under Sections
364/34 of the Indian Penal Code.

The mother of the victim Ajay Kharwar alleged that
Rinku Devi (wife of Ajay Kharwar) and the petitioner took her son
Ajay Kharwar along with them but her son did not return. It is
submitted that there was some dispute with regard to partition. The
occurrence took place on 20.07.2013 but the complaint petition as
filed after much delay, on the basis of which, the present F.I.R.
was lodged on 05.11.2013.

It has come during the course of investigation that
Rinku Devi, wife of Ajay Kharwar, developed illicit relation with
the petitioner and, on one pretext or other, Rinku Devi and the
petitioner took Ajay Kharwar along with them but Ajay Kharwar

did not return. Rinku Devi also returned but she did not give any satisfactory reply. One day she was found leaving her house after deserting her children. Thereafter, the informant got suspicious. Ajay Kharwar is still traceless.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on bail in Bhabua (Sonhan) P.S. Case No. 532 of 2013. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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