

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24944 of 2016

Arising Out of PS.Case No. -158 Year- 2014 Thana -KARAI PARSURAI District- NALANDA
(BIHARSHARIFF)

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Chintu Mahto S/o Arun Mahto, Resident of Village- Niriya, P.S.-
Karaiparsurai, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kamlesh Kumar, Advocate
For the Opposite Party : Mr. Anuradha Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody in connection with
Karaiparsurai P.S.Case No.158 of 2014 pending in the Court of
Judicial Magistrate, Ist Class, Hilsa registered for an offence
under Sections 363, 365, 504 and 506 of the IPC.

As per the prosecution case, it is alleged by the
informant that on 08.09.2014 the accused went to house of the
informant and gave temptation for providing job to her husband,
namely, Santosh Paswan aged about 30 years at Patna and at that
time all family members of the informant and the number of male
and female living nearby were also present there and further
alleged that her husband had a mobile phone and also kept cash of



Rs.5,000/- with him while he was going with the accused on 08.09.2014. It is further alleged that after went out from the house, his mobile phone was being switched off while she was calling him and when the accused came back alone after 15 days, the informant and her family members went to ask him about her husband whereupon the accused told her that he is working at Patna and further asking of his whereabouts then the accused told them that you will ask him yourself, when he will came for one day after fifteen days thereafter her husband did not come after fifteen days then again on 27.04.2014, the informant and her family members went to the house of accused and asked him to go with them to see him at Patna whereupon the accused started abusing them and told them to kill like Santosh Paswan then the informant and her family members became anxious and has full faith that the accused either taking his mobile or might have been killed him or sold him in the hand of the gang of bad person.

Learned counsel for the petitioner submits that the petitioner is in custody since 01.01.2016. Charge-sheet has been submitted in the case. Petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Petitioner has falsely been implicated in the present case. There is no eye witness to the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is named in the FIR. The victim boy is said to have been taken by the petitioner and thereafter he did not return and till date he is traceless and after the arrest, the petitioner refused to make any statement before the police.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner, the same is rejected at this stage.

The court below is directed to take all necessary steps to expedite the trial.

(Sudhir Singh, J)

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