

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 23313 of 2016

Arising out of P.S. Case No. -387 Year- 2015 Thana -
HARSIDHI District- EASTCHAMPARAN(MOTIHARI)

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Radheshyam Kuswaha S/o Lal Babu Kushwaha, Resident of
Village- Fulwaghat Jaisinghpur, P.S.- Turkauliya, District-
East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s: Mr. B.N. Pandey (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

03. 28.07.2016

Heard both sides.

The Petitioner apprehends his arrest in Harsidhi P.S.
Case No. 387 of 2015 registered for the offences punishable
under Sections 366 and 366(A)/34 of the Indian Penal Code.

The Informant alleged that his daughter was missing
from his house since 02.10.2015. During the course of
search, the informant came to know on 05.10.2015 that some
photographs of his daughter are being loaded at the video
shop of Kamal Kushwaha. The Informant came to know that
Bajrangi Sah, Dipak Sah, Anil Singh and Radheshyam
Kushwaha, the petitioner enticed his daughter.

Learned counsel for the petitioner submits that there
is no eye-witness to the occurrence. The victim is about 18
years old. Even during the course of entire investigation, none

of the witnesses have stated that he saw the petitioner or any other person taking away the victim. It is only on mere suspicion the petitioner has been named in the case. The Investigating Officer has not collected any evidence. Dipak Sah was arrested and he has already been granted bail vide order dated 25.02.2016 passed in Cr. Misc. No. 8181 of 2016.

Considering the fact that there is no witness who has seen the petitioner going along with the victim, the Petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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, Motihari in connection with Harsidhi P.S. Case No. 387 of 2015 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Vikash/-

(Prabhat Kumar Jha, J.)

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