

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45202 of 2017

Arising Out of PS.Case No. -112 Year- 2017 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Md. Gaffar, S/o Md. Abbas, R/o Vilage- Daulatpur Devaria, P.S.- Sadar
Hajipur, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Sri Lalan Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 23-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
01.04.2017 in connection with Sadar Hajipur P.S. Case No. 112 of
2017 for offences punishable under Sections 366/34 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that his widow daughter Shobha Devi had gone with the
petitioner's wife to purchase medicine but both of them did not
return. It is alleged that co-accused Ramji Mahto and Kundan
Kumar must have kidnapped his widow daughter and wife of the
petitioner.

It has been submitted by the learned counsel for the



petitioner that he is innocent, his wife has also become traceless along with the informant's daughter and he has been falsely implicated in the aforesaid case. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner and that he bears no criminal history.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner has not given any information to the police about the missing of his wife which shows the complicity of the petitioner.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Sadar Hajipur P.S. Case No. 112 of 2017, subject to the condition that both bailors would be close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/-

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