

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51593 of 2017

Arising Out of PS.Case No. -269 Year- 2013 Thana -MAIRWA District- SIWAN

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Jagu Baitha, Son of Ramdev Baitha, Resident of Village- Baraso, P.S.
Mairwa, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni

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

For the Informant : Mr. Ajay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 07-12-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Mairwa
P.S. Case No. 269 of 2013 dated 25.11.2013 instituted for the
offences under Sections 366(A) and 34 of the Indian Penal Code.

The minor daughter of the informant is said to have
been abducted by some unknown accused persons while she had
gone to attend to the call of nature. The aforesaid complaint was
lodged on 02.11.2013 and on the basis of the same, the formal FIR
was registered on 25.11.2013. The name of the petitioner
transpired in the statement of one witness viz. Syed Parwej,
recorded after about four years. It has been alleged by the
aforesaid Syed Parwej that the petitioner had facilitated the
abduction of the victim and had also participated in the
occurrence. He had made available the Bolero vehicle which was



used for taking away the daughter of the informant.

Learned counsel for the petitioner however has drawn the attention of this Court to various paragraphs of the case diary wherein it has been submitted that in the beginning, no suspicion was raised against him by anybody including the informant and his implication in the present case is only on the basis of such vague statement after four years of the lodging of the case. It has further been submitted that local witnesses have stated that the victim was in the habit of running away from home and on several occasions she had gone out of home but had returned. Though the victim, at the time of occurrence, was a minor, who has yet not been traced out but it has been submitted on behalf of the petitioner that the accusation against him is absolutely frivolous.

The petitioner is in custody since 23.04.2017 and does not have any criminal antecedent.

In the facts and circumstances, the petitioner above named is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Mairwa P.S. Case No. 269 of 2013.

(Ashutosh Kumar, J)

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