

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36508 of 2016

Arising Out of PS.Case No. -75 Year- 2016 Thana -RIGA District- SITAMARHI

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1. Kailash Baitha Son of Suryadev Baitha
2. Champa Devi wife of Kailash Baitha, Both resident of village -
Chainpura, P.S. Riga, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Roy, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 13-01-2017 The application filed on behalf of petitioner No.2 has

been dismissed as withdrawn by order dated 1.9.2016

Heard learned counsel for the petitioner No.1 and

learned APP for the State.

The petitioner No.1 is apprehending his arrest in Riga
P.S. case No.75 of 2016 registered under Sections 363 and
366(A)/34 of the Indian Penal Code, pending before the court of
Chief Judicial Magistrate, Sitamarhi.

Allegation is that the accused persons including the
petitioner took away the sister of the informant on tempo with
intention to marry.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioner. The victim has eloped with co-accused, namely, Vikki Kumar. There is no other substantive evidence to suggest the implication of the petitioner in the present case. Merely on suspicion he has been made accused.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. and the victim is still traceless.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioner No.1. Prayer for anticipatory bail is rejected.

Anyhow if the petitioner No.1 surrenders in the court below within a period of six weeks from today, the same shall be considered on its own merit without being prejudiced by this order. If possible, the same shall be disposed of on the same day.

(Sudhir Singh, J)

Narendra/-

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