

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32497 of 2017

Arising Out of PS.Case No. -37 Year- 2017 Thana -NAWANGAR District- BUXAR

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Mahesh Turha, S/o Late Badak Turha, Resident of Village- Kesath, P.S.-
Nawanagar, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
03.04.2017 in connection with Nawanagar P.S. Case No. 37 of
2017 pending in the Court of learned Chief Judicial Magistrate,
Buxar registered for the offences punishable under Sections
366(A)/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his 15 year old daughter, Puja Kumari had gone to High
School for submitting her practical copy and did not return. On
information, he got to know that petitioner, his son and one Dhiraj
Kumar had kidnapped his daughter.

It has been submitted by the learned counsel for the



petitioner that he is innocent, allegation is upon his son, Tegari Turha @ Raj Kumar Turha and he has no concern with the alleged occurrence. He submits that being father of Tegari Turha @ Raj Kumar Turha, he has been made accused. It has further been submitted that although the date of occurrence is 15.03.2017, but First Information Report has been lodged on 23.03.2017 and no plausible explanation has been given for such delay. He submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution witnesses.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the victim minor girl has not yet been recovered.

Considering the facts and circumstances and the materials on record, I am not inclined to grant the privilege of bail to the petitioner at this stage. This application is, accordingly, rejected.

(Nilu Agrawal, J.)

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